

Sterling Village

Jodi Ketelsen, Long Range Planner
11175 South Redwood Road
South Jordan, Utah 84095

September 11, 1996

Gerald Anderson
10977 South Pleasant Hills
Sandy, Utah 84092

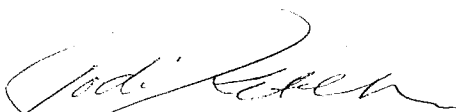
Dear Mr. Anderson:


The Planning Department is willing to consider the proposal to redirect flows from Little Willow Creek onto three acres of the City property uplands.

The Planning Department will agree to this proposal provided that a 14' trail will be unobstructed from Sterling Village directly West to the Jordan River, and an adequate 14' trail base is provided along the Jordan River proceeding north and south.

The north-south trail shall include drainage channels, in the form of either large rock-french drains or culverts that will assist in accommodating floods as documented in the FIRM map (as mapped by FEMA). All stream alteration suggestions are required to be reviewed by the Department of Natural Resources as well as the Army Corporation. Please contact Greg Mladenka, the Stream Alteration Specialist @ 538-7375.

Sincerely,


Jodi Ketelsen
Long Range Planner


Gordon M. Haight II, P.E.
Public Works Director



SOUTH JORDAN CITY
PLANNING COMMISSION MINUTES
AUGUST 14, 1996

As there were no other speakers, Chairman Romph then closed the Public Hearing and called for questions or comments from the Planning Commission Members.

Mr. Haight stated that this development is an in fill project. He stated that he feels this development would not greatly increase traffic along Bridle Oak Drive. Mr. Allen stated that he lives close to this development and never uses Bridle Oak Drive. He also stated that he felt these residents would either turn south towards the High School to access 10400 South or north to access 9800 South and West Jordan.

Mr. Allen motioned to approve the Preliminary Subdivision Plat: Jordan Ridge Estates. Chairman Romph then gave the motion a second. The vote was unanimous in favor.

The Applicant asked when this would be going to the City Council for the Cul-de-sac variance approval. Mr. Larkin stated that he would get this on a City Council Agenda as soon as possible, and that the applicant would be notified of this date.

Mr. David Dean asked if they could go ahead with the Final Plat process without the variance approval? Mr. Larkin stated yes, they could but the application would not be complete until the subdivision had received the variance approval.

H. Commercial Subdivision Plat, Sterling Village Apartment Complex, 3 Lots, C-FF Zone District, Pegasus Development (Applicant).

Mr. Larkin reviewed this item, stating that the developer has proposed dividing the parcel into phases for financing purposes.

Mr. Arnold asked Mr. Larkin how many phases the developers were proposing? Mr. Larkin stated that to the best of his knowledge there would be three phases.

Mr. Malor asked if the phases would be done simultaneously? Mr. Larkin stated they are currently constructing phase one, and would be submitting phase two in the very near future.

Chairman Romph then opened the public hearing inviting any interested parties to participate. Seeing none, he then closed the public hearing and called for further questions, comments or concerns from the Planning Commission. Seeing none, he then called for a motion.

Mr. Marlor motioned to approve the Commercial Subdivision Plat, Sterling Village Apartment Complex. Mr. Allen gave the motion a second. The vote was unanimous in favor.

V ACTION ITEMS

- A. ~~Final Subdivision Plat, Wood Ranch #2 Subdivision, 4800 West 9800 South Street (Approximate), 20.95 Acres, 65 Lots, R-3 Zone District, Ryder Homes of Utah (Applicant).~~

Chairman Romph stated that as mentioned at the beginning of this meeting this application was removed from the agenda at the request of the applicant.

VI OTHER BUSINESS

A. Calendaring Items

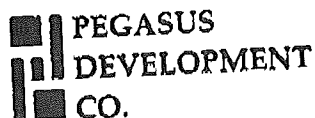
Mrs. Hansen stated that she would like to discuss the meeting schedule for the holiday months. With some discussion it was agreed that the meetings for the month of November would be held on November 6 & 20, 1996 with one meeting during the month of December to be held on December 11, 1996.

B. Planning Department Matters.

Mr. Larkin stated that for the record he would like to raise the issue regarding the number of public hearings that have been placed on any given agenda. He stated that in talking with Dave Millheim, it has been requested that no more than four (4) Public Hearing Items be placed on any given City Council Agenda, and if there is an item of a controversial nature, that number would be lowered to only three (3).

Mr. Larkin stated that what he would like to see is a time allocation for each item on the agenda. At the time the agenda is being put together, staff would determine how much time an issue should take, allowing enough estimated time for each item to be discussed thoroughly. As the time slots are filled, that agenda would be closed.

Mr. Arnold stated that this would be a reasonable idea, but there is not always a way of determining which item could cause controversy. Public Hearings are not always predictable.



July 26, 1996

VIA FACSIMILE & REGULAR MAIL

Mr. Gordon Haight
City Engineer, Public Works Director
City of South Jordan
11175 South Redwood Road
South Jordan, UT 84095

Re: Sterling Village Apartments
Meeting of July 23, 1996

Dear Gordon:

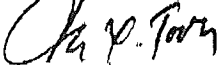
I appreciate the time you spent with me and Bob Elder at our meeting of July 23, 1996. I would like you to confirm my understanding of the conversation that took place.

- Maintenance of median on entry road: We discussed the possibility of Pegasus maintaining this entry median. Pegasus will provide a proposed landscape plan that will include planting, irrigation, lighting, flags, etc. for Staff review.
- Additional flow into storm drain on 110th: Bob Elder indicated at this meeting that he still has not received the added flow from your engineer. This will be resolved in the meetings of July 26, 1996.
- Deed Restriction on Wetlands: Both Jody and yourself have indicated that you have not received the required information from either Gerald Anderson or AGRA. I will pursue this information and respond to you.
- Entry Road: A meeting was set up for Friday, July 26, 1996 at 2:00 p.m. at City offices to discuss the redesign of the alignment of our entry road and 400 West. Bob Elder and Pete Rocereto will attend. You confirmed in our meeting of July 23, 1996 that given the anticipated traffic conditions and the information provided by the geotechnical engineer, that a flexible street section would be acceptable. As you are aware, we are in the process of grading this entry road to those specifications.

Mr. Gordon Haight
July 26, 1996
Page 2

Gordon, again I want to thank you for your availability.
Please do not hesitate to contact me at 415-596-5337 if I can
provide you with any additional information.

Sincerely,



Timothy X. Toohey
Director of Construction

TXT/aa

c: Bob Elder
Dale Ikeda
Gerald Anderson
Billy Reed
Pete Rocereto
Stephen Bachor
FILE: Sterling/Zoning/CityCorresp



ECKHOFF, WATSON and PREATOR ENGINEERING

Engineering • Environmental Science • Surveying • Construction Administration

1967 1992

25
YEARS OF
EXCELLENCE

Principals

David W. Eckhoff, PhD, PE
Kenneth W. Watson, PE, LS
E. Gregory Thorpe, PE
Robert L. Siegel, PhD
James V. Olson, PE

Associates

Frederick C. Duberow, PE
Thomas W. Johnson, CPA
Douglas L. Gilmore, PE
Karen K. Nichols, PE
Robert Q. Elder, PE
Alane Boyd, PE
Dee Hansen, PE

July 1, 1996

Mr. Drasa Maciunas
Regulatory Office
U.S. Army Corps of Engineers
1403 South 600 West, Suite A
Bountiful, UT 84010

RE: Application for a Nationwide Permit for site known as sewer line of Sterling Village Phase I.

Dear Mr. Maciunas:

We are assisting Pegasus Development in their application for a Nationwide Permit for the installation of a sewer line through 0.56 acres of wetlands. The site will be used to develop a Phase I of Sterling Village. This action is part of a larger project involving construction of the roads, sewers and storm drains for apartments. The 404 Nationwide Permit Application is attached for your reference.

A Midvale, Utah Quad map is attached to reference the site location. Secondly, a wetlands delineation of the area conducted by Mr. Jim Paraskeva in 1995, of AGRA Earth and Environmental, is attached. The pink colored highlight displays the location of the sewer line. Thirdly, a cross sectional diagram of the 8" sewer pipe is attached. Fourth, a plan view of the proposed activity including dimensions is attached.

Mr. Robert D. Williams of the U.S. Fish and Wildlife Service and Mr. Joel M. Peterson of the Utah Natural Heritage Program have been contacted to provide any relevant information regarding potential impacts to critical habitats or endangered species in the wetland area. The letter written to each of them was dated June 18, 1996. We are still waiting for a response.

Eckhoff, Watson and Preator appreciates your assistance in completing this permit application process. Please call me with any questions.

Sincerely,

Lisa Kassels
Environmental Scientist

cc: Mr. Robert Q. Elder

ATTACHMENTS

JOINT PERMIT APPLICATION FORM

U. S. ARMY CORPS OF ENGINEERS - FOR SECTIONS 404 AND 10
UTAH STATE ENGINEER'S OFFICE - FOR NATURAL STREAM CHANNELS

Application Number _____ / _____
(Assigned by:) Corps State Engineer

Applicant's Name (Last, First M.I.) <u>Pegasus Development Company</u>	Authorized Agent <u>Bob Q. Elder</u>	Telephone Number and Area Code <u>(801) 261-0090</u>
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Applicant's Address (Street, RFD, Box Number, City, State, Zip)

PROJECT LOCATION

Quarter Section(s) <u>SW 1/4</u>	Section <u>13</u>	Township <u>3S</u>	Range <u>1W</u>	Base & Meridian <u>SLBM</u>
County <u>Salt Lake</u>	Watercourse to be altered <u>Wetland</u>	Check one: <input checked="" type="checkbox"/> Within city limits <input type="checkbox"/> Outside city limits List town or nearest town:		

Project location or address:

Approximately 11000 South 500 West, South Jordan, Utah

Brief description of project:

Installation of 8" PVC SDR35 sewer pipe through 30' easement in width and 808.06' in length through wetlands.

Purpose (justification) of project:

Provide sewer lines for development of residential housing units.

Is this a single and complete project or is it part of a larger project, continuing project, or other related activities? If so, please describe the larger project or other related activities.

This action is part of a larger project involving construction of apartments. The project involves construction of roads, sewers and stormdrains.

If project includes the discharge of dredged or fill material:

Cubic yards of material: 12,632.67 yd³ total; 2,693.53 yd³ non-native fill

Acreage or square footage of waters of the United States, including wetlands, affected by the project: 9,939.14 yd³ native fill
0.56 acres

Source and type of fill material:

primarily on-site, native soils, except for imported granular fill 3' above the sewer pipe.

Channels/Wetlands

Alternatives (other ways to accomplish the project purpose):

none

Names and addresses of adjacent property owners or other individuals who may be affected by this project:

South Jordan City Corp.

List other authorizations required by Federal, state or local governments (i.e.; National Flood Insurance Program), and the status of those authorizations.

US Fish and Wildlife Service- Threatened and Endangered Species
Utah Natural Heritage Program-Critical Habitats

Estimated starting date of project

August 1, 1996

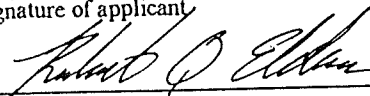
Estimated completion date

August 1, 1997

(If project has already been partially or totally completed, indicate date of work. Indicate existing work on drawings).

Application is hereby made for a permit or permits to authorize the activities described herein. I certify that I am familiar with the information contained in the application, and that to the best of my knowledge and belief such information is true, complete and accurate. I further certify that I possess the authority to undertake the proposed activities or am acting as the duly authorized agent of the applicant.

Signature of applicant



Date

7/1/96

I hereby certify that Mr. Robert O. Elder is acting as my agent for this project.

Agent's address and telephone number

Eckhoff, Watson, and Preator Engineering, 1121 East 3900 South, Suite C-100

(801) 261-0090

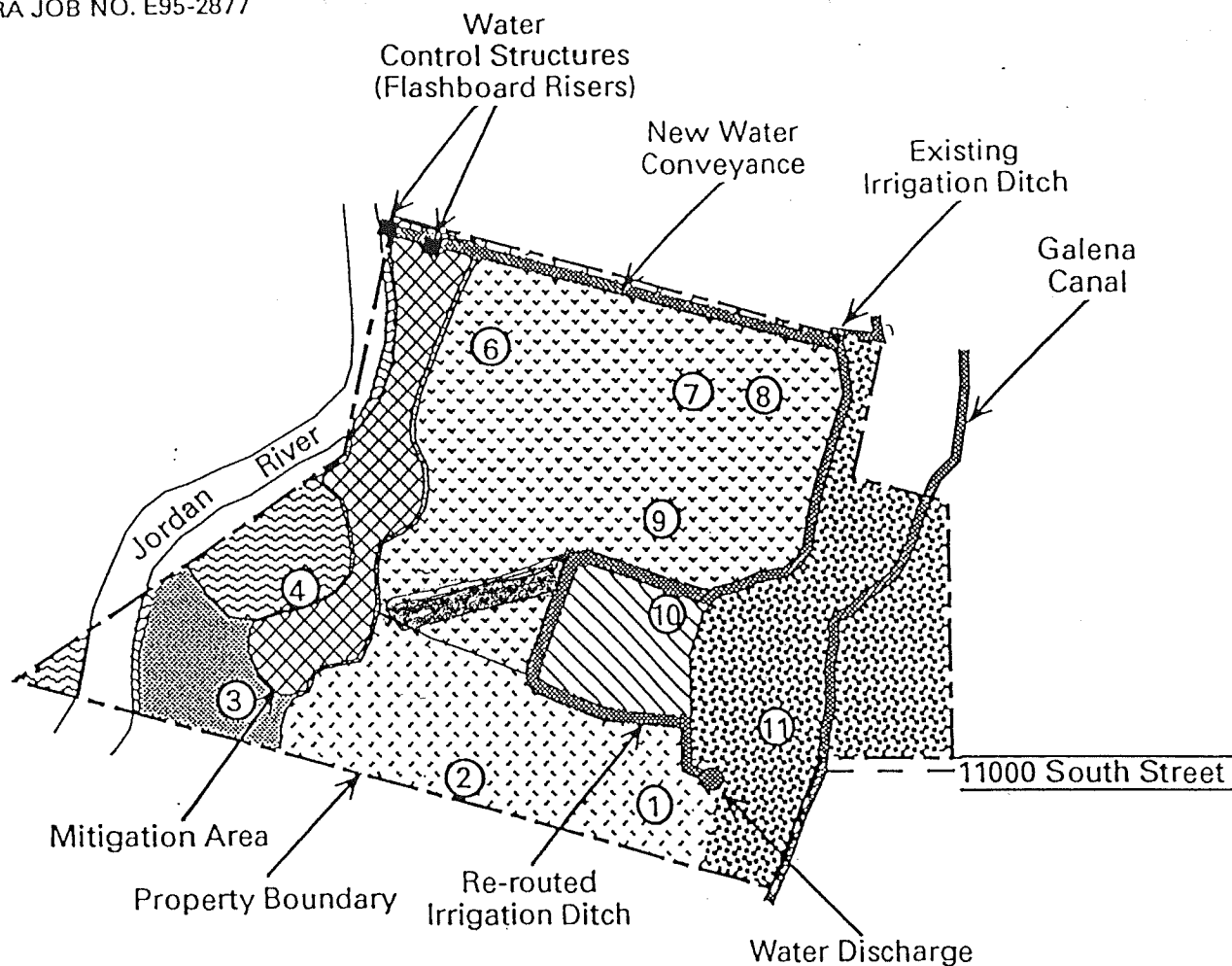
Salt Lake City, Utah 84124

INSTRUCTIONS



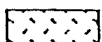

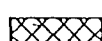
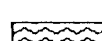
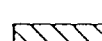
Applications which do not include the following will not be processed.

For a complete application, you MUST include the following on 8 1/2 by 11 paper (for large projects, multiple sheets with a key may be used). Clear, hand-drawn plans approximately to scale are acceptable.

1. An accurate location map (USGS quadrangle map preferred)
2. A plan view of the proposed activity (as seen from above) including dimensions of work.
3. A cross-section view of the proposed activity (may use typical cross-section for large projects) including dimensions.
4. For projects which include wetlands, an accurate wetland delineation must be prepared in accordance with the current method required by the Corps.



EXPLANATION

-  East Uplands (7.80 Acres)
-  West Uplands (3.0 Acres)
-  Probable Uplands (6.97 Acres)
-  Existing Wetlands (18.47 Acres)
-  Mitigation Area (3.0 Acres)
-  Riparian (2.26 Acres)
-  Proposed Fill Area (2.0 Acres, Under Separate Permit)

① Test Pit Location

(Note Total Area Within Property Boundary Equals 41.5 Acres)

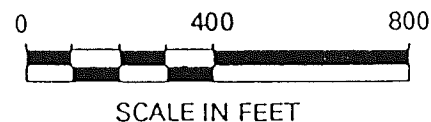


FIGURE 4
MITIGATION DESIGN

REFERENCE:
1993 SITE PLAN TITLED "FAIRBOURN PROPERTIES" BY J.F.
VAROZ & ASSOCIATES PROFESSIONAL SURVEYORS

 **AGRA**
Earth & Environmental

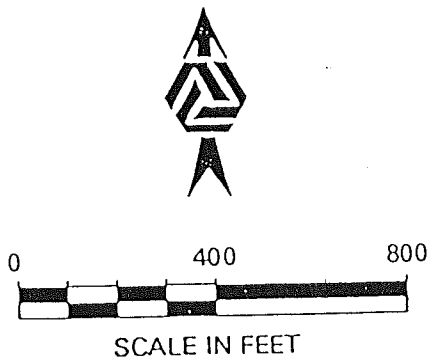
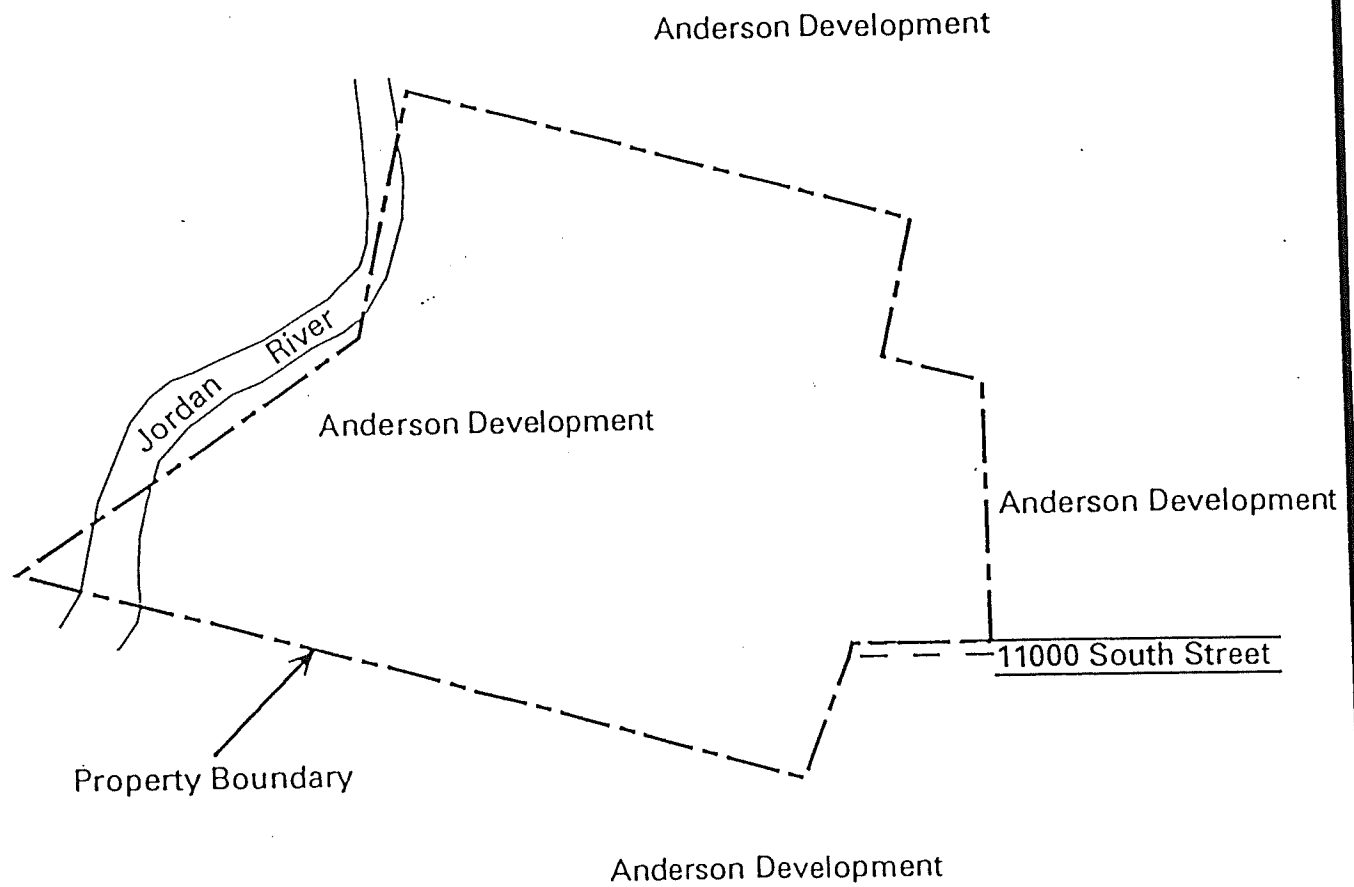
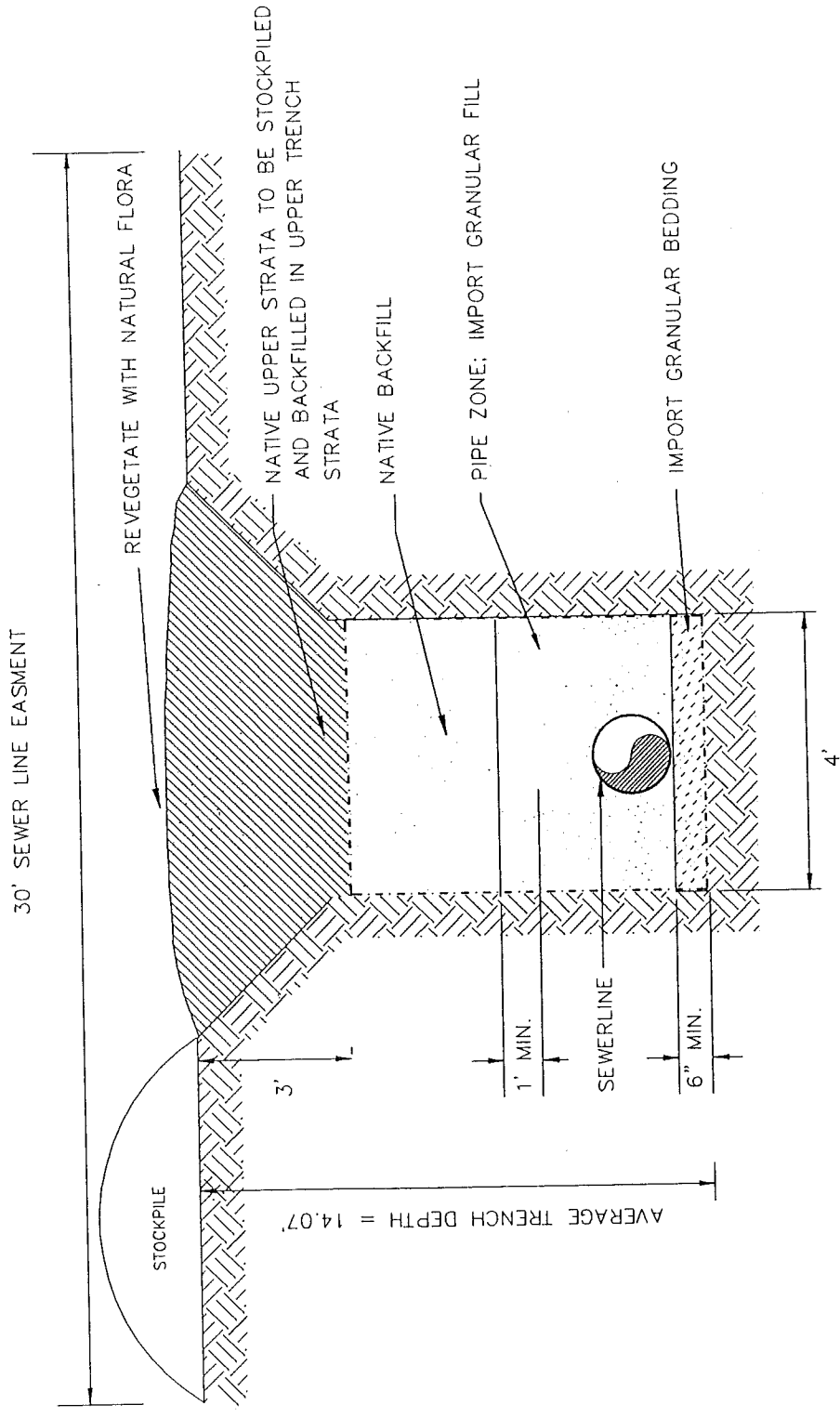


FIGURE 3
SURROUNDING
LAND USES

REFERENCE:
1993 SITE PLAN TITLED "FAIRBOURN PROPERTIES" BY J.F.
VAROZ & ASSOCIATES PROFESSIONAL SURVEYORS



8 CROSS SECTION OF SEWER LINE IN TRENCH
 - SECTION TRAVERSING WETLANDS

NO SCALE

Project Number <u>FE570155</u> Designed By <u>LAK</u> Drawn By _____ Checked By <u>BOE</u> Date <u>6/96</u>		ECKHOFF WATSON AND PREATOR ENGINEERING ENGINEERS PLANNERS SURVEYORS SALT LAKE CITY	Sterling Village-Phase 1 MISCELLANEOUS DETAILS	Sheet Number 1 of 1
Revision No. _____ Date _____				

ANDERSON WETLAND DELINEATION
 AGRA JOB NO. E95-2448

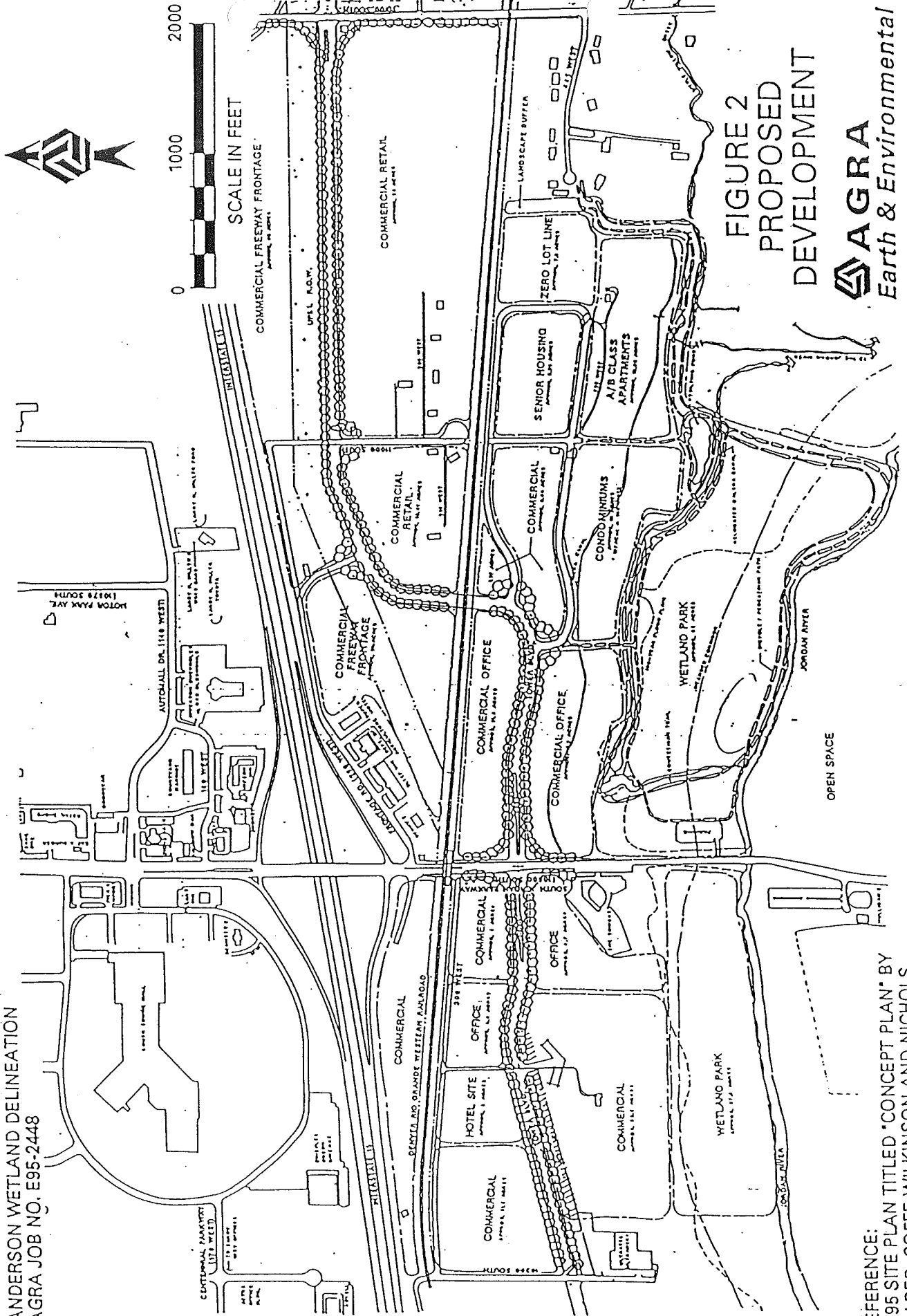
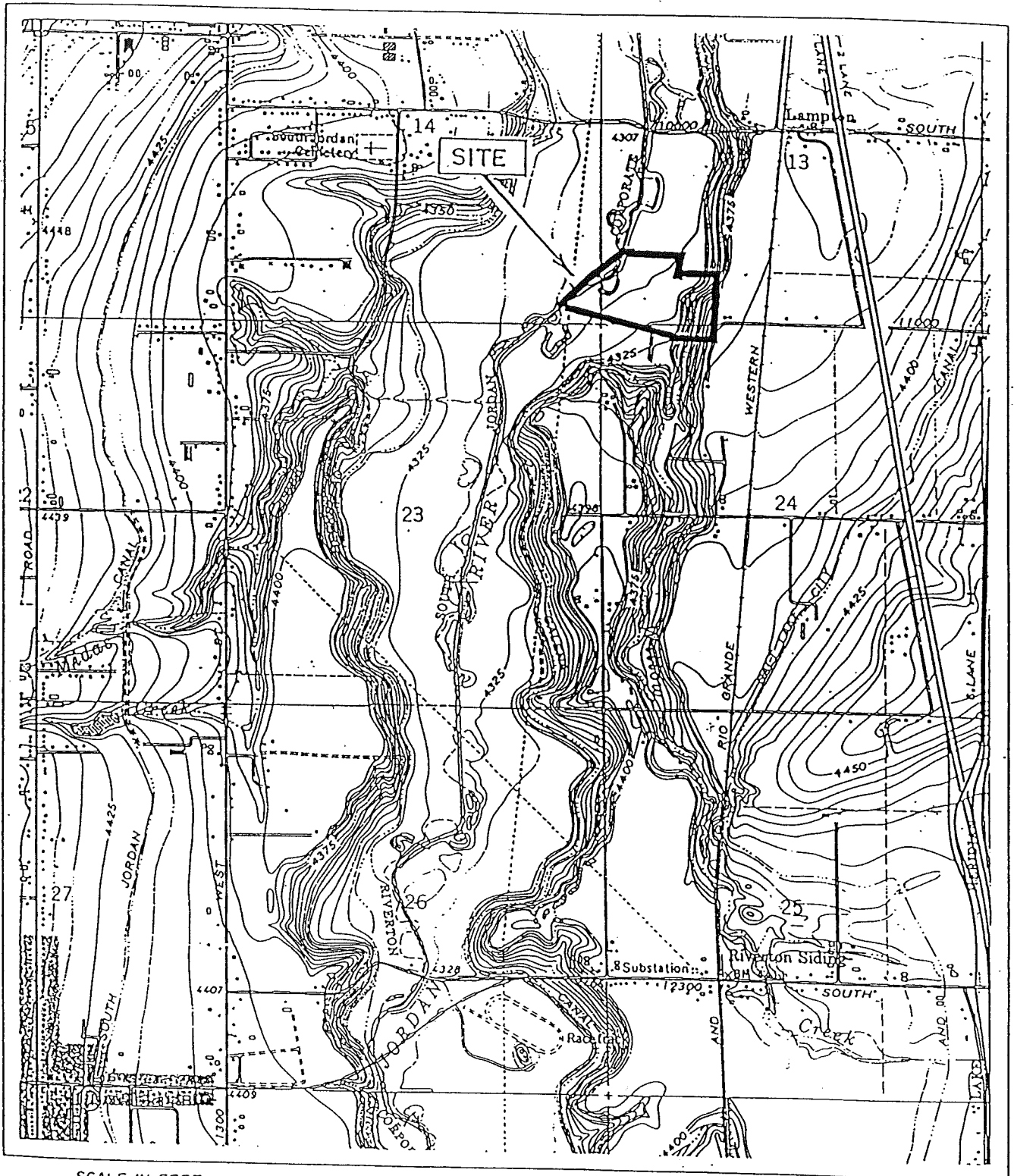
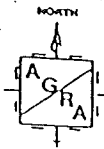


FIGURE 2
 PROPOSED
 DEVELOPMENT

AGRA
 Earth & Environmental

REFERENCE:
 1995 SITE PLAN TITLED "CONCEPT PLAN" BY
 ALLRED, SOFFE WILKINSON AND NICHOLS

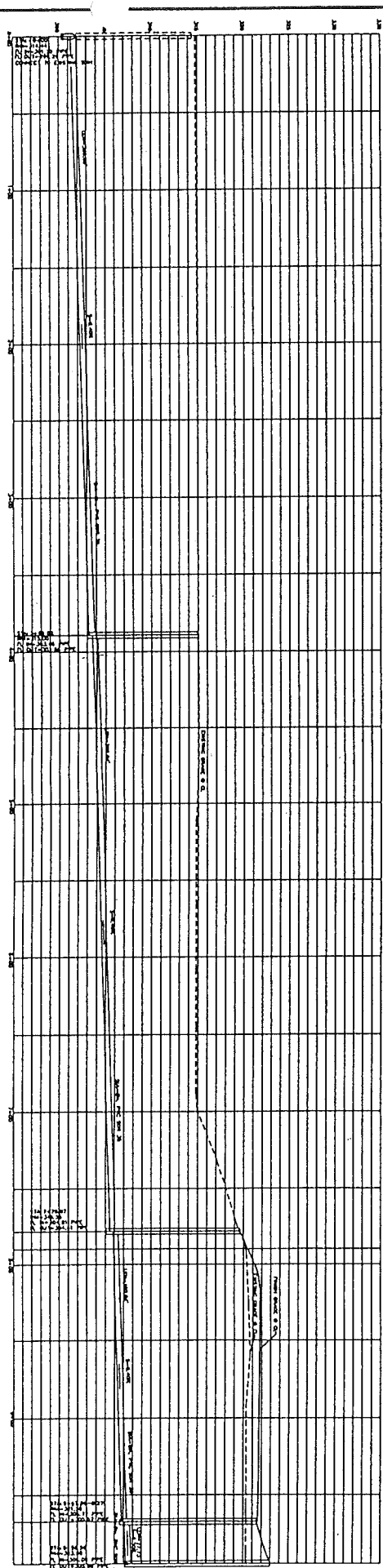
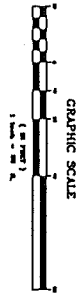
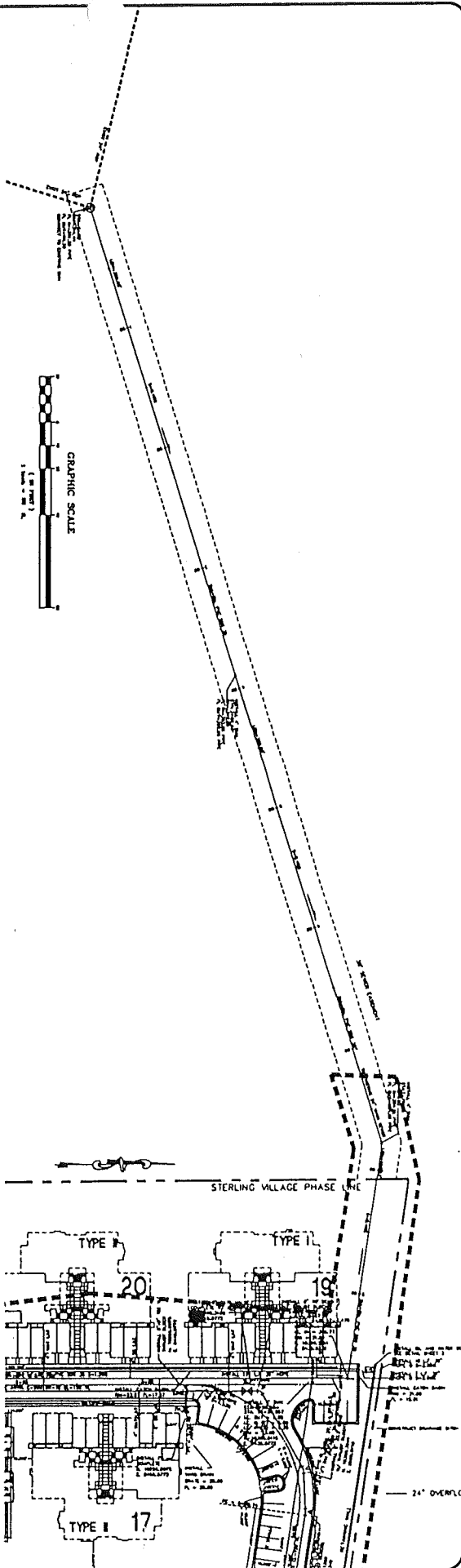


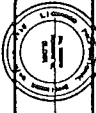

SCALE IN FEET
1000 0 1000 2000

FIGURE 1
VICINITY MAP

 **AGRA**
Earth & Environmental

REFERENCE: USGS TOPOGRAPHIC QUADRANGLE MAP
TITLED "MIDVALE, UTAH"
PHOTOREVISED 1969 AND 1975



		Date: _____	
No. _____	ISSUE SET Revision: _____	RUC: 1/23/06 By: _____	Date: _____
Project Number: EP20033 Designed By: ER Drawn By: ER/2/06 Checked By: RUC Date 1/23/06			
 ECKHOFF WATSON AND PREATOR ENGINEERING 1821 EAST 7500 SOUTH, C-100, SALT LAKE CITY, UTAH 84124 (801) 461-0970 SALT LAKE CITY			
STERLING VILLAGE APARTMENTS - PHASE 1 OFFSITE SANITARY SEWER IMPROVEMENTS			
Sheet Number: 17 / 29			Date: _____

can be approved for final plat approval, although he is sympathetic to the delays and costs.

Councilman Carlile asked:

1. if there was a signed agreement with the Beckstead's--Developer said they have both agreed, and it may be signed tomorrow;
2. about the Salt Lake County Flood Permit--Developer replied it is not in yet;
3. about the maintenance agreement--City Engineer Haight said they are waiting for a number of things; and
4. do we have bond amounts?--waiting for the Developer to submit a copy of the engineers estimate.

Councilman Christensen made a motion to table this issue, and if the information is available next week that City Council review it. Councilman Carlile seconded the motion. The vote was unanimous in favor.

City Administrator Millheim clarified that this item will be placed back on the agenda when the issues are resolved to Staffs satisfaction.

D. FINAL SITE PLAN: Sterling Village Apartment Complex, Phase I, 11000 South 500 West Street (Approx.). (Pegasus Development)

Community Development Director Larkin said the City Council approved the preliminary site plan on April 2 with several conditions, and the applicant has addressed all of those issues. As a result, the Planning Commission recommended approval of the final site plan on June 12, subject to conditions by the City Engineer:

1. Applicant requested a variance in the road right-of-way from 106 ft. to 73 ft. A wider width in the road right-of-way will create a higher retaining wall to the west due to the steep slope.
2. The best solution to the off-site drainage is still being evaluated. The storm drain line will need to be upsized to accommodate development on the other side of the tracks, as well as the road that is being constructed (to be reimbursed as development occurs);
3. Culinary water--City will need a maintenance easement for each line.
4. Sewer--copy of the agreement between the applicant and

the Sewer District.

5. Grading--map requested showing exact boundary in Phase I.
6. Irrigation--signed agreement between irrigation users and developers.
7. Retaining wall construction details need to be submitted.

Councilman Christensen asked who would be maintaining the islands? City Engineer Haight said the City would be responsible, because it is a public street. City Administrator Millheim explained that the development agreement states once the City accepts the road, the City accepts the maintenance and all things contained therein. If the Applicant took over the maintenance of the islands, it would mean an amendment to the development agreement, and the City would not be opposed to such an amendment. Billy Reed, Pegasus, said he would be open to such an arrangement, and everyone agreed this would need to be discussed further with the possibility of the City providing the water, at no cost.

Councilman Warne asked if the bonding had been put in place? City Engineer Haight said no, and Councilman Warne suggested when the Applicant bonds for the road that they also bond for the park fees that the City is deferring to Phase II. Billy Reed, said this would be a problem because the development agreement states the City has the ability to lien the value of that property for fees, within a certain amount of time.

City Administrator read paragraph 8. B. from the development agreement. Park Fees--The City acknowledges that the development of the Project will include construction of various private recreation facilities for use by the occupants of the Project, and that such use will decrease the burden which the Project would otherwise impose on City park and recreational facilities. For this purpose, the City hereby agrees that the parks improvement fee otherwise applicable to the units in the Project will be deferred and reduced as follows: (i) the Phase I parks improvement fee will be deferred entirely until Phase II; (ii) the Phase II and Phase III parks improvement fees will be paid at the rate set forth in the attached Exhibit "E" as and when otherwise required hereunder; (iii) the Phase I parks improvement fee will be due when the Phase II parks improvement fee is due, but Developer will be credited with a deemed payment of \$166,320; and (iv) if all building permits for units in this Project are not applied for and issued not later than nine and one-half (9 1/2) years after the date of this Agreement, then the Phase I fee credit of \$166,320 will be due and payable in full within thirty (30) days after written demand from the City, and the City shall have a lien against the Project for such payment.

Councilman Warne thought this did not guarantee collection of the Park fees. City Attorney Mazuran said he negotiated that language, and there was a lot of give and take. Councilman Warne asked City Attorney Mazuran if it was his opinion that the City could lien the property if they do not pay the Park fees? City Attorney Mazuran responded yes.

Councilman Money made a motion to approve the final site plan for Phase I, Sterling Village Apartment Complex, Pegasus Development (Applicant), subject to the conditions outlined in the Staff Report. Councilman Carlile seconded the motion. The vote was unanimous in favor.

Councilman Warne made a motion to go into Closed Meeting to discuss Property Acquisition and Potential Litigation. Councilman Money seconded the motion. The vote was unanimous in favor.

CLOSED MEETING

The Council discussed property acquisition and potential litigation.

OPEN MEETING

Councilman Money made a motion to go back into Open Meeting. Councilman Christensen seconded the motion. The vote was unanimous in favor.

E. EXTENSION OF TIME AGREEMENT for off-site improvements at 10344 South 2950 West Street. (C. Robert Morrison, Jr.)

City Administrator Millheim said on 2950 West there are existing extension of time agreements for similar situations. The property owner wants to develop a single family home, and following the City procedure they would be required is to put in curb, gutter, and sidewalk. The extension of time agreement says the improvements have to be put in within 60 days of when the City tells them to do so.

Councilman Christensen discussed doing a bond, either a cash or escrow. City Administrator Millheim said with a bond there is a time period that runs with it, and extension of time agreements are open ended and travel with the land.

Councilman Christensen suggested getting a copy of the County's ordinance (on how they provide security that the fee or bond will be paid without a time lapse, or losing the opportunity to build the infrastructure) which is simple, and works.

City Council felt extension of time agreements are a bad idea and

of opposition. Mr. Arnold stated that he is opposed to this project and expressed his concern that he would like to approve only the final product with no conditions attached.

Mr. Marlor stated that he would like to make a final comment, expressing the he agrees with Mr. Arnold, stating that in this case the Planning Commission has been given approval by the City Engineer with these conditions, and only with this approval would he make this motion.

Mr. Sellers expressed to the developers of this City who will be bringing plans in front of this Planning Commission that the City Ordinance states that a Final Plat will not be presented to the Planning Commission until the plat has been approved by the City Engineer. Mr. Sellers stated that tonight the Planning Commission has acted in violation of the City Ordinance.

Mr. Woolley asked if he could comment on the motion, stating that the motion regarding the trail system is not appropriate in that this is the first time this issue has been brought to the attention of the applicants. Mr. Marlor stated that his motion was for a resolution of the trail access and is not implying that this need to be in place.

B. Final Site Plan: Sterling Village Apartment Complex, Phase I, 11000 South 500 West Street (Approximate), 300 Units, Commercial-Freeway Frontage (C-FF) Zone District, Pegasus Development (Applicant).

Pegasus Development was present. Long Range Planner Jodi Ketelsen reviewed this item. She reviewed the items listed on the staff report, stating that the majority of these issues have been addressed by the applicant to the satisfaction of staff.

Ms. Ketelsen stated that one of the issues yet to be resolved was that of the wetlands in that one of the access points of the project is located in the wettest area, adding that this issue is not part of the Phase I plan and that it will be addressed at a later date in a subsequent phase.

Mr. Sellers asked Ms. Ketelsen if there would be any buffering on the south side? Ms. Ketelsen stated that there would be a nine (9) foot wall the whole extent of the boundary on this side of the project. Mr. Larkin stated that in the Development Agreement it states, if construction of any structures should begin within 400 feet of the south boundary the applicant will be required to construct this block wall, this will happen in Phase II. Mr. Larkin stated that the applicant will be required to landscape inside the wall as part of this buffer.

Mr. Marlor asked if there were schematics on the garages to be built? Ms. Ketelsen stated that yes these were available. Mr. Larkin asked if they would be constructed with brick fronts? The applicant stated that they will have brick fronts with standard garage doors, and with high pitched, shingled roofs.

Mr. Larkin stated that in a letter received from the applicant discussing the gross site acreage, it was stated that of the 53 acres, approximately 45% or 23.7 acres were designated as open space with 24% as hard surfaces,(roads and open parking) and the remaining 31% would be for buildings. Mr. Larkin stated that this complies with the Development Agreement.

Mr. Larkin then reviewed various letters from the applicant stating that Pegasus Development has been very enjoyable to work with in that they have done every thing in their power to address any issues that the Planning and Engineer Departments may have had in a very timely manor.

Mr. Larkin then reviewed the Engineering issues, in the absence of Gordon Haight.

The applicant was then asked to address any questions or issues that there may be.

Mr. Anderson stated that they have enjoyed working with South Jordan City, and that it has been a very excellent relationship.

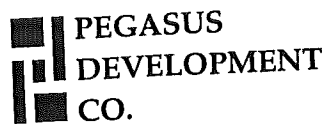
Mr. Anderson stated that there may have been one miscommunication, in that the west side buffering would be required to be installed during phase I. Mr. Anderson stated that there intention was to wait until the development of Phase II to install this buffering, stating that because of the grading issues it would be impossible to install the west-side buffering. Mr. Anderson stated that he is confident the buffering would be addressed during the phase II submittal.

Mr. Larkin stated that there is no time frame as to when the west boundary buffering would have to be installed.

Ms. Ketelsen stated that the misunderstanding came from a meeting held with adjacent property owners. Stating that the property owner to the south-west (Bob Schmidt) was concerned with the buffering to the west of this development, and if this could be installed as soon as possible.

Mr. Larkin stated that he would like to see this buffering in place as quickly as possible, asking the developer if there intentions where to come back with Phase II in the near future. Mr. Anderson stated that yes this was there intention, adding, that they where anxious to have this project reach completion.

Chairman Romph called for further discussion from the Planning Commission. Seeing none he then motioned to approve the Final Site Plan for Phase I of the Sterling Village Apartment Complex, with the condition that the issues that the City Engineer has outlined be addressed to the satisfaction of the City Engineer and Staff. Mr. Marlor gave the motion a second, the vote was unanimous in favor.



June 10, 1996

VIA FACSIMILE & REGULAR MAIL

Ms. Jody Kettelson
Long Range Planner
City of South Jordan
11175 South Redwood Road
South Jordan, UT 84095

Re: Additional Sidewalks at
Sterling Village Apartments Phase I

Dear Jody:

Thank you for your schematic diagram which indicated Staff's proposed additional sidewalks for our Sterling Village project. Your diagram went a long way to reaching an understanding on the concerns of the City Staff. I would like to comment on these proposed sidewalks so that we can have a clear understanding of which sidewalks we agree upon. I will only address the sidewalks that are in Phase I since that is what our current approval is addressing.

Let me begin by agreeing to install the sidewalk north of Building 6. I would also suggest that it makes sense to have a 4' sidewalk continuing on the southerly curb line of the arched road from near Building 6 to the barbecue/picnic area. (Let me also make the statement that the landscape architect incorrectly labeled this area as a tot-lot and it should have instead been labeled a picnic area/barbecue).

We also agree to install a 4' walk behind the perpendicular parking just south of Building 10 per your diagram.

The two proposed sidewalks at each end of the two parking lots just east of Building 13 do not seem as though they would be used. The northerly parking lot is segregated with two stand alone garages. Because of this, I do not think that the sidewalk to the north of this lot would be used. Further if sidewalks are not deemed appropriate between the northerly and southerly parking lot, and the pedestrian access is adequate without them, it would further hold that the proposed sidewalks are also not necessary.

Ms. Jody Kettel. n
June 10, 1996
Page 2

The sidewalk from the mail kiosk back towards the telephone building will be included in our final plans.

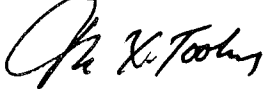
The sidewalks between Buildings 43 and 44 and between Buildings 55 and 56 will be added. We also agree to add the sidewalks on the northern edge of the street that runs between Buildings 45 and 46 and Buildings 53 and 54. We propose that the sidewalk on the southern border of this street be added when we improve Buildings 46 and 53. We would also like to consider the proposed sidewalk just west of Building 58 when we improve the adjacent phase.

The sidewalks we have been discussing are typically 4' wide and will be against the curb that is the perimeter of the parking stalls. It is understood that vehicles parked in these stalls will hang over part of this sidewalk. We are very reluctant to agree to add a sidewalk that is greater in width than 4' as we feel this will significantly impact our ability to provide a sufficient quantity of planting.

I hope this letter helps to bring an understanding on our thoughts and considerations in regard to these proposed sidewalks.

Please do not hesitate to contact me at 415.596.5337 if you have any questions or comments.

Very truly yours,

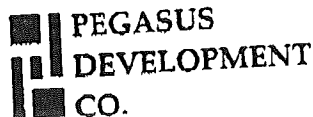


Timothy X. Toohey
Director of Construction

TXT/aa

Attachments

c: Billy Reed
Pete Rocereto
Dale Ikeda
Bob Elder
John Chin
FILE: Sterling/Zoning/CityCorresp



May 31, 1996

VIA FACSIMILE & REGULAR MAIL

Mr. Dave Millheim
City Administrator
City of South Jordan
11175 South Redwood Road
South Jordan, UT 84095

Re: Sterling Village Apartments
Mitigating the Galena Canal

Dear Dave:

We understand that our Sterling Village project is a very "high profile" project from the perspective of Staff, Council members and members of the community. With that in mind, I wanted to make sure that we were in complete communication. We have received permission from the Army Corps of Engineers to mitigate the portion of the Galena Canal that runs across our parcel. Under the auspices of the permit from the Corps, we will begin filling the Galena Canal next week. Although we would also like to begin grading Phase I at the same time, until we receive a grading permit from the City, we will not be doing any grading operations that require a permit. The purpose of this letter is to make sure that City Staff and City Council are aware of what is happening on the site so that they are better able to respond to questions which they may be asked by members of the community.

Please provide a copy of this letter in your weekly package to the City Council members so that they can be aware of our activities. We place a high value on our relationship with City Staff and City Council and hope to maintain that relationship.

If I can answer any questions or provide you with any additional information, please do not hesitate to contact me at 415.596.5348.

Sincerely,

A handwritten signature in cursive script that reads "William E. Reed".

William E. Reed
Director of Development

WER/aa

c: Sanford Diller
Tim Toohey
Pete Rocereto
FILE: Sterling/Zoning/CityCorresp

MAY 31 1996 14:02

533 P05

415-349-3204 PEGASUS DEVELOPMENT
FACSIMILE 415-349-3204
TELEPHONE 415-349-3204
11175 SOUTH REDWOOD ROAD, SOUTH JORDAN, UT 84095

**Guzzardo and
Associates, Inc.**

836 Montgomery Street
San Francisco
California 94133

Land Planners and
Landscape Architects

Telephone
415-433-4672
Facsimile
415-433-5003

Principals
Dale K. Ikeda
Paul T. Lettieri
Gary D. Laymon

Senior Associates
Randall J. Montbriand

Associates
Janet C. Hittle
Jeffrey S. George

File: Pegasus

29 May 1996

City of South Jordan
11175 South Redwood Road
South Jordan, UT 84095

Attn: Dennis P. Larkin
Interim Community Development Director

RE: Sterling Village
South Jordan, Utah

Dear Dennis:

At the request of Pete Rocereto of Pegasus Development, I am transmitting the following information to you:

Gross Site Acreage (Does not include entry road)	(100%)	53.13 Ac.
Buildings (Does <u>not</u> include interior courtyards)	(31%)	16.45 Ac.
Hard Surfaces (Roads and open parking)	(24%)	12.98 Ac.
Open Space (Includes building interior courtyards)	(45%)	23.70 Ac.

Please call us if you require any additional information or clarification of any of the items listed.

Sincerely,

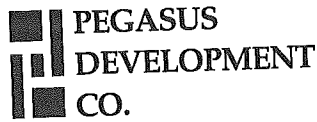
Guzzardo and Associates, Inc.

Dale K. Ikeda

Dale K. Ikeda

DKI/ljc





May 28, 1996

Mr. Dennis P. Larkin
Community Development Director
City of South Jordan
11175 South Redwood Road
South Jordan, UT 84095

Re: Sterling Village Apartments—Final site plan submittal

Dear Dennis:

Enclosed please find the following plans submitted to you for final approval:

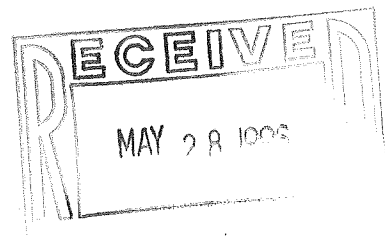
- Site plan—eight 24" X 36" copies
- Site plan—one 11" X 17" copy
- Site grading and drainage plan—one 11" X 17" copy
- Elevations—eight 24" X 36" copies
- Elevations—one 11" X 17" copy
- Landscape plan—eight 24" X 36" copies
- Landscape plan—one 11" X 17" copy
- Current parking counts—one copy

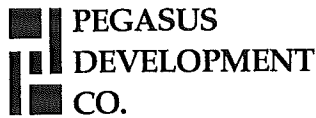
Sincerely,

A handwritten signature in black ink, appearing to read "Peter M. Rocereto".

Peter M. Rocereto
Owner's Representative

c: Tim Toohey
FILE: Sterling/Zoning/CityCorresp





May 28, 1996

Mr. Dennis P. Larkin
Community Development Director
City of South Jordan
11175 South Redwood Road
Salt Lake City, UT 84095

Re: Sterling Village Apartments—Final Site Plan

Dear Dennis:

The purpose of this letter is to bring you and your staff up to date regarding refuse collection at Sterling Village Apartments. I have met several times with Dave Peck, Division Manager of Operations for Waste Management to discuss the design and services they will be providing for Sterling Village. Each resident will have their own trash and recyclable containers provided by Waste Management, the containers consist of a 90 gallon for trash and a 60 gallon for recycling. These containers will be stored in each residents garage and will be set out once a week for collection.

We have also located seven refuse enclosures throughout the site, these enclosures will be used by our property management (excess trash from resident move-ins, move-outs and recreational functions). Pick-up for these enclosures will be on an add needed basis. The enclosures will have full height walls to hide the waste container and a pair of wood gates in the front for pick-up access.

Lastly, I have enclosed a parking count on the property which shows the current ratio at 1.77 which has been decreased from our original ratio of 1.8. This decrease was due to the addition of detached garages and placement of the refuse enclosures. Bob Elder and Dale Ikeda have been working together to further increase this current ratio but they are challenged by the grade slopes throughout the site.

I hope this letter helps you and your staff better understand these issues.

Sincerely,

A handwritten signature in black ink, appearing to read "Peter M. Rocereto", written in a cursive style.

Peter M. Rocereto
Owner's Representative

c: Tim Toohey
FILE: Sterling/Zoning/CityCorresp

May 28, 1996

File: Pegasus

Mr. Dennis Larkin, AICP
Community Development Director
City of South Jordan
11175 South Redwood Road
South Jordan, UT 84095

Re: Sterling Village - South Jordan, Utah

Dear Dennis,

In response to your letter to Tim Toohey, Project Manager for the Sterling Village project in South Jordan, I would like to briefly address the architectural character of the project.

Sterling Village is, indeed, a tight project. Accordingly, we have given a great deal of thought to the design of the building elevations, as they bear the lion's share of the responsibility for providing variety and interest to the project. I believe that the elevations provide a measure of diversity and richness in style that will prove a classic in the years to come. Through massing, choice of materials and architectural details we have made an effort to create a project that is very comfortable, inviting and residential in scale and character.

When viewing the building elevations, it is most important to remember that these walls are not flat, but in fact step forward and back continuously across the facade. In fact, each of the elevations, (front and back), change depth seven times. This is critical to the impact of the design, creating shadows which will change continuously throughout the day.

Secondly, there is a great deal of vertical diversity in the roof lines, which are punctuated by chimneys, dormers and peaks of varying slopes. Moreover, nearly half of the site has at least a 10% grade, which will further accentuate these height changes.

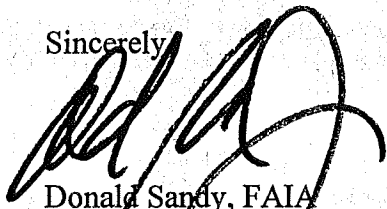
SANDY & BABCOCK ARCHITECTS PLANNER

Letter to Mr. Dennis Larkin
May 28, 1996
Page Two

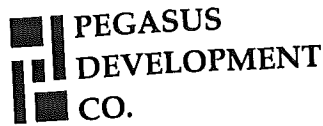
Finally, the design includes a rich combination of materials and detailing, including roof shingles of a slate-like material, walls in a combination of plaster and brick, mullioned windows, balconies and arched entries.

I believe, and hope you agree, that the above factors come together to create the best design solution for this excellent project.

Sincerely,

A large, stylized handwritten signature in black ink, appearing to read 'Donald Sandy'.

Donald Sandy, FAIA
Chairman
SANDY & BABCOCK INC
Architecture & Planning



May 28, 1996

VIA FACSIMILE & REGULAR MAIL

Mr. Dennis P. Larkin
Community Development Director
City of South Jordan
11175 South Redwood Road
Salt Lake City, UT 84095


Re: Sterling Village Apartments
Final Site Plan

Dear Dennis:

The purpose of this letter is to define some of the recreational facilities with our Phase I. We intend to install one or two barbecue and picnic areas around the main pool area as well as a barbecue and picnic area at the north end of the pan handle. The two recreation buildings that we will build with Phase I will include a lounge area with a kitchen, a fitness room (approximately 1,100 square feet) for exercise equipment such as treadmills, weights, stair climbers, etc., an aerobics room, a multi-purpose room, and a steam and sauna. We will also provide gender specific bathrooms with showers and lockers. Behind the recreation building and within the recreation corridor, we have allocated an open space area to be set aside for use as a common area amenity. City Council expressed interest in us considering installing a basketball court and Staff has recommended that we consider installing a tot-lot. We have set aside this space for these uses or possibly a similar use depending on how the demographics reveal the needs of the community.

I hope this letter provides you with a brief understanding of our intended recreational amenities which we will build with Phase I.

Sincerely,


Timothy X. Toohey
Director of Construction

Dictated But Not Read

TXT/aa

c: Pete Rocereto
FILING: Sterling/Zoning/CityCorresp

STERLING VILLAGE APARTMENTS

Parking spaces

	Garages	Parking spaces	Handicap spaces
PHASE I	308	225	6
PHASE II	576	429	12
Subtotals	884	654	18

539

Total: 1556

880 units . (1.8 density) = 1584

Therefore 28 more spaces are needed.

**Guzzardo and
Associates, Inc.**

836 Montgomery Street
San Francisco
California 94133

Telephone
415-433-4672
Facsimile
415-433-5003

Principals
Dale K. Ikeda
Paul T. Lettieri
Gary D. Laymon

Senior Associates
Randall J. Montbriand

Associates
Janet C. Hittle
Jeffrey S. George

Land Planners and
Landscape Architects

City of South Jordan
11175 South Redwood Road
South Jordan, UT 84095

23 May 1996

Attn: Dennis P. Larkin
Interim Community Development Director

RE: Sterling Village
South Jordan, Utah

Dear Dennis:

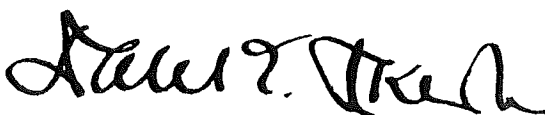
Realizing your concern regarding snow removal / storage at the subject project now being planned, this letter is to inform you that we have been in contact and consultation with a local Salt Lake City firm.

David Newcomer, trained as a landscape architect and a consultant to Craig Sutherland Landscaping, Inc. has been a valuable resource for us in this respect.

Be assured that he will be consulted every step of the development process and review our final landscape documents for compliance with snow removal procedures.

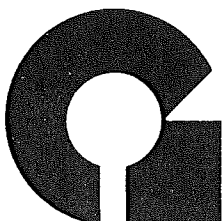
Sincerely,

Guzzardo and Associates, Inc.



Dale K. Ikeda

DKI/ljc



May 20, 1996

VIA FAX & REGULAR MAIL

Mr. Tim Toohey
Director of Construction
Pegasus Development Company
350 Bridge Parkway
Redwood City, CA 94065-1517

Re: Sterling Village Deed for Entry Road

Dear Tim:

Consider this the City's response to your letter to Gordon Haight dated May 16, 1996. I will follow point by point the various issues raised in your letter.

Thank you for supplying a schematic description. You state the City's proposed alignment would have caused Pegasus to dramatically increase the onsite retaining walls. After discussions with Gordon, it is my understanding that you have retaining walls in either scenario and that the City's alignment increases those walls at your cost by about two feet. You fail to mention the additional cost the City is saving Pegasus by moving 400 West closer to the entry road to accommodate your entry.

The real issue is the City's need to secure a small sliver of land from Pegasus for ground along 400 West. Several times in your letter you refer to the City's sense of urgency in getting the road built. You additionally try to attach several unrelated items to the need for this road. Let me make something perfectly clear. What you perceive as a sense of urgency is the City's attempts to get a road built for Pegasus's benefit. We are merely attempting to honor the agreements we have made and yes you have been somewhat of an obstacle by not providing the deed. If our efforts to get 400 West built to your entry is perceived by you as urgent, so be it. If you would like us to slow down the construction sequence we have already started so that we may address all the other issues you raise, please let me know and we would be happy to discuss your concerns.

The City in a good faith effort to move this road along has solicited and received bids for the 400 West road. We have a very short window period in which to award the bid and continue construction.

As far as your requested grading permit, I will shortly provide you with an answer. As far as providing urgency to your final site



SOUTH JORDAN
U T A H

Pegasus Letter
May 20, 1996
Page 2

plan, if you would care to submit a final site plan, we will diligently review and process it as timely as possible. It is difficult to process something we do not have.

In response to the City granting an off-site sewer easement, we will consider it once we have a description provided by you which we request you provide at final submittal. Please keep these issues separate from the road as they are entirely unrelated. The City has always acted in good faith and will continue to do so.

In response to the catch basin on Greiner's plans for storm water dissipated on your property, make no assumptions about what the City will pay for upsizing pipes, labor, etc. The City will answer these questions once we have the facts. In order to have the facts, submit with your final site plan the specifics for your storm drainage including but not limited to pipe sizes, volumes and locations. This is another issue separate from the construction of 400 West but if you want them tied together, we can delay construction of the road (at your request) in order to address your concerns.

Last issue is the design exception you want for your entry road. If you would care to submit such a request with your final site plan submittal, we will consider such a request. Include a specific design showing widths, lanes, landscaping, etc., for the entry road. I believe you already understand the City does not have a road standard for the width you desire. Therefore, the more specificity you submit with your request at final site plan, the better able the City will be able to consider your request.

In summary, you need to do the following:

1. Answer the question, Do you want us to slow down our road construction efforts on 400 West in order to address all the other issues you raise?
2. Provide the deed for ground needed in order to construct 400 West at the Pegasus entry road.
3. Submit final site plan documents so the City may begin review.
4. Provide with final submittal an accurate legal description for the City's consideration of the off-site sewer easement requested.

Pegasus Letter
May 20, 1996
Page 3

5. Provide with final submittal an engineering description for your storm drainage system so the City can address the upsizing question.
6. Provide with final submittal a detailed design request for the entry road for the City's consideration.

Three final thoughts. First all other requirements of staff and Planning Commission must still be addressed with your final site plan submittal. Second, the City wishes to address your final site plan as a package so submit it as a package. Submitting one piece and then another while waiting for answers in between only delays the project. Some of this must occur and we understand but to the extent this can be avoided will save everyone time and money. Lastly, this project has taken and will continue to take a great deal of effort on all our parts. In spite of some strong initial opposition to this project, I know I can say we look forward to the completion of a high quality project in South Jordan.

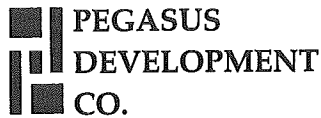
Sincerely,



Dave Millheim
City Administrator

cc: Sanford Diller
Billy Reed
Bob Elder
Dave Rasmussen
Mike Mazuran
Gordon Haight
Dennis Larkin

\\letters\\pegasus.1



RECEIVED

MAY 21 1996

ENGINEER DIVISION

May 20, 1996

VIA FACSIMILE & OVERNIGHT MAIL

Mr. Gordon Haight
City Engineer, Public Works Director
City of South Jordan
11175 South Redwood Road
Salt Lake City, UT 84095

Re: Sterling Village
Warranty Deed

Dear Gordon:

Enclosed is an executed Warranty Deed which conveys a parcel of land to the City of South Jordan for the purposes of constructing the entry road intersection. This will enable your contractor to begin construction on the entry road.

For this deed to be effective, the City must record the deed and provide us with the consideration of \$10.00 referenced in the Warranty Deed.

I am very anxious to begin discussions on the redesign of this entry road. Please call me so that we can receive information from Griener.

I am also anxious to begin discussion on our grading. It was indicated by City Staff that no discussion on the grading of our site would occur until after this deed was executed by Pegasus. I am anxious to revisit the discussions on our grading.

Very truly yours,

A handwritten signature in cursive script that reads "Timothy X. Toohey".

Timothy X. Toohey
Director of Construction

TXT/aa

Enclosure

c: Gerald Anderson
Bob Elder
Billy Reed
Pete Rocereto
FILING: Sterling/Zoning/CityCorresp

LAW OFFICES OF
ALLEN NELSON RASMUSSEN & CHRISTENSEN

A PROFESSIONAL CORPORATION

SUITE 900

215 SOUTH STATE STREET

SALT LAKE CITY, UTAH 84111

TELEPHONE (801) 531-8400

DAVID L. RASMUSSEN

FACSIMILE
(801) 363-3614

May 10, 1996

VIA FACSIMILE
ORIGINAL VIA U.S. MAILMichael J. Mazuran
S. Jordan City Attorney
1245 East Brickyard Road #250
Salt Lake City, Utah 84106

Re: Sterling Village; At-Risk Grading Permit

Dear Mike:

As you know, time is important to the success of this project. There is much to be done before winter weather slows or stops construction efforts. For that reason Sterling Village would like a permit to commence grading before final site plan approval.

In preliminary discussions, the City Council has expressed the concern that if grading is commenced early, then the Council would be hard pressed to require anything in the final plan that is inconsistent with the preliminary grading. That concern is understandable; but I believe that it can be dealt with in a manner satisfactory both to the City and the Developer.

In other cities, this concern has been resolved by a brief agreement by which the Developer acknowledges and assumes all risk that the final approved plan may be inconsistent with preliminary grading work. Such an Assumption of Risk Agreement could expressly provide that the Developer proceeds at its own risk in commencing grading early, and waives any claim that by issuing the grading permit the City has directly or indirectly agreed to any specific design criteria for the final site plan.

I would appreciate it if you could prepare a brief Agreement that would allocate this risk to the Developer, and thereby deal appropriately with the City's concerns.

Cordially,

ALLEN NELSON RASMUSSEN
& CHRISTENSEN

David L. Rasmussen

cc: Dave Millheim
Timothy X. Toohey

*Sterling Village
Regassio*

LAW OFFICES OF
ALLEN NELSON RASMUSSEN & CHRISTENSEN
A PROFESSIONAL CORPORATION
SUITE 900
215 SOUTH STATE STREET
SALT LAKE CITY, UTAH 84111
TELEPHONE (801) 531-8400

DAVID L. RASMUSSEN

FACSIMILE
(801) 363-3614

May 10, 1996

VIA FACSIMILE
ORIGINAL VIA U.S. MAIL

Michael J. Mazuran
S. Jordan City Attorney
1245 East Brickyard Road #250
Salt Lake City, Utah 84106

Re: Sterling Village; At-Risk Grading Permit

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Cordially,

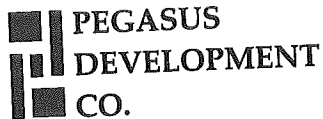
ALLEN NELSON RASMUSSEN
& CHRISTENSEN

David L. Rasmussen

cc: Dave Millheim
Timothy X. Toohey

Pegasus\091.kh

** TOTAL PAGE.002 **



May 8, 1996

VIA FACSIMILE & REGULAR MAIL

Mr. Gordon Haight
City Engineer, Public Works Director
City of South Jordan
11175 South Redwood Road
Salt Lake City, UT 84095

RECEIVED

MAY 10 1996

Re: Sterling Village
Phase I Final Plan Submittal

ENGINEER DIVISION

Dear Gordon:

I was disappointed with the City Council's reluctance to provide City Staff with the authority to issue an At-Risk Grading permit. Because the probability of receiving an At-Risk Grading permit in the immediate future has been dramatically reduced, I am looking to accelerate the final plan submittal. This was suggested by a council member.


I would greatly appreciate a chance to sit down with City Staff and try to proactively approach the Phase I final plan review process, possibly considering pre-scheduled weekly meetings with Pegasus, our design team and City Staff so that we can iron out issues on a progress basis rather than waiting for a final plan to be reviewed. I think that there would be a lot of benefit in bringing the Staff's input in as the design evolves.

I need some help from City Staff to finalize our design. There is still some information that is lacking, specifically: entry road width and cross-section; contributing off-site storm drain water; granting of off-site sanitary sewer easement; and the preparation and granting of an off-site storm drain discharge easement.

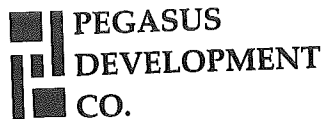
This information is vital to the design evolution of our project. City Staff has expressed a sincere effort in accelerating our approval process and I hope that they will continue to do so.

Please provide me with the above requested information as soon as possible. I look forward to hearing from you.

Very truly yours,


Timothy X. Toohey
Director of Construction

c: Bob Elder
Billy Reed
Pete Rocereto
FILING: Sterling/Zoning/CityCorresp



RECEIVED

MAY 10 1996

ENGINEER DIVISION

May 8, 1996

VIA FACSIMILE & REGULAR MAIL

Mr. Gordon Haight
City Engineer, Public Works Director
City of South Jordan
11175 South Redwood Road
Salt Lake City, UT 84095

Re: Sterling Village
Proposed Warranty Deed at Entry Road

Dear Gordon:

I have received your legal description for the proposed warranty deed where our entry road intersects with 400 West. I forwarded this information to our civil engineer for a review. Our civil engineer indicates that the area described does not align with our current design of the entry road. Our civil engineer indicates that your proposed alignment is too far to the west. Your proposed alignment would require us to put in retaining walls possibly as high as 15' to 18' (possibly including barriers). Our civil engineer also indicates that there are some drainage considerations that have not been addressed, including drainage from 400 West onto our property. Also, your proposed alignment does not take into consideration our 72' proposed right-of-way. Your engineer is still showing our entry road to be 106' wide.

Please give me a call so that we can finalize this manner as quickly as possible. I can be reached at 415.596.5337.

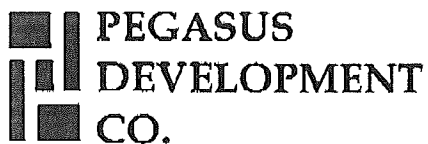
Very truly yours,

A handwritten signature in dark ink, appearing to read "Tim X. Toohey", is written over the typed name.

Timothy X. Toohey
Director of Construction

TXT/aa

c: Bob Elder
Billy Reed
Pete Rocereto
FILING: Sterling/Zoning/CityCorresp



350 Bridge Parkway
Redwood City, CA 94065-1517
415.596.5300/Tel
415.596.5374/Fax

FACSIMILE COVER

Date: May 2, 1996

Time: 12:40 p.m.

Dept. of Natural Resources
To: Division of Park & Recreation FAX#: 801-254-3393

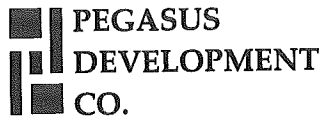
Company: State of Utah

From: William Reed Re: Support Letter

Number of pages (including cover sheet): 2

COMMENTS:

∞ For any transmittal problems, please contact Arsho Avetian at 415.596.5375 ∞



April 16, 1996

VIA REGULAR MAIL

Mr. Gordon Haight
City Engineer, Public Works Director
City of South Jordan
11175 South Redwood Road
Salt Lake City, UT 84095

Re: Sterling Village
Assumption of Risk Agreement

Dear Gordon:

Enclosed is a draft copy of exerts from an agreement that is very similar to what you have called an Assumption of Risk Agreement. I think you will find it useful in providing you with a starting point for the agreement that will be used for our At-Risk Grading Permit. This draft copy is intended as a guideline for your attorney to amend and from which to extrapolate. It is not intended to be the final document. I would suggest that you have your attorney review it very carefully and make certain that all of the needs of the City are addressed.

Please let me know if I can provide you with any additional information or assistance.

Very truly yours,

A handwritten signature in dark ink, appearing to read "Tim X. Toohey", is written over the typed name.

Timothy X. Toohey
Director of Construction

TXT/aa

Enclosure

c: Billy Reed
FILING: Sterling/Zoning/CityCorresp

RECEIVED

APR 19 1996

ENGINEER DIVISION

DRAFT

ASSUMPTION OF RISK AGREEMENT

This AGREEMENT, made and entered into this ____ day of April, 1996, by and between the City of South Jordan, a municipal corporation of the State of Utah, hereinafter designated as CITY, and STERLING VILLAGE, L.C., a California corporation hereinafter designated as DEVELOPER.

WHEREAS, said DEVELOPER desires to excavate and mass grade land within the City of South Jordan in accordance with an approved preliminary plan filed with the City Council of the City of South Jordan, marked and designed in Exhibit "A" attached hereto and made of part of, hereinafter designated as Sterling Village; and

WHEREAS, said preliminary plan shows certain entry road which are offered for dedication for public use; and

WHEREAS, CITY hereby approves the said preliminary plan prepared for the developer by ANTHONY M. GUZZARDO & ASSOCIATES, a true copy of said preliminary plan is on file in the Office of the City Engineer of South Jordan; and

WHEREAS, the same are incorporated herein by reference, the same as though set out in full;

NOW, THEREFORE, said plan shall be hereinafter called the "Plan" and the work to be done under the Plan shall be called the "Work."

RECEIVED

APR 19 1996

ENGINEER DIVISION

WHEREAS, pursuant to the provisions of this AGREEMENT, the CITY hereby has established the amount of a bond and fees as set forth in the following schedule:

SCHEDULE OF BOND AND FEES

NOW, THEREFORE, it is mutually agreed by and between the parties hereto as follows, to wit:

1. INSTALLATION OF WORK

A. The DEVELOPER shall install and complete the Work within one (1) year from the date of execution of this AGREEMENT, or such longer period as may be specifically authorized in writing by the City Engineer. In the event the DEVELOPER fails or refuses to complete the Work within the specified period of time, the CITY at its sole option, shall be authorized to complete the Work in whatever manner the CITY shall decide. In the event the CITY completes the Work, the CITY may recover any and all costs incurred thereby from the DEVELOPER or the DEVELOPER'S surety or both.

B. The DEVELOPER shall install and complete the Work in a good and workmanlike manner in accordance with the Plans as approved by the City Engineer of South Jordan. The Work shall be performed under the inspection and with the approval of the City Engineer. The Work shall be done in accordance with the existing ordinances and resolutions of the City of South Jordan, and in accordance with all plans, specifications, standards, sizes, lines and grades approved by the City Engineer. The Work shall be done in accordance with all State and County Statutes applicable thereto. The decision of the City Engineer shall be final as to whether any material or workmanship meets the standards, specifications, plans, sizes, lines and grades as set forth.

2. EXCAVATION PERMIT

It is further agreed that the DEVELOPER shall obtain an excavation permit from the City Engineer before the commencement of any excavation in, on, or under the surface of any existing public street, lane, alley, sidewalk, or other public place. It is further agreed that the DEVELOPER

shall notify the City Engineer of the exact date and time when the proposed excavation is to commence.

3. BOND

A. Upon the execution of the AGREEMENT, the DEVELOPER shall file with the CITY a faithful performance bond to assure its full and faithful performance of this AGREEMENT. The penal sum of said faithful performance bond shall be the full cost of any payment to be made under this AGREEMENT, and any improvements to be made under this AGREEMENT. In the event that improvements are to be made under this AGREEMENT, the DEVELOPER shall, in addition to said faithful performance, file with the CITY a labor and materials bond in a penal sum adequate to assure full payment of all labor and materials required to construct said improvements. The amount of said bonds shall be as designated by the City Engineer. Said bonds shall be executed by a surety company authorized to transact a surety business in the State of Utah and must be approved by the City Attorney as to form and by the City Engineer as to sufficiency. In the event that the DEVELOPER shall fail faithfully to perform the covenants and conditions of this AGREEMENT, or to make any payment, or any dedication of land, or any improvements herein required, the CITY shall call on the surety to perform this AGREEMENT or otherwise indemnify the CITY for the DEVELOPER'S failure to so do.

B. No release of surety bonds shall be made except upon approval of the City Engineer.

4. PARK FEES

DEVELOPER shall pay all fees as required by law, the Development Agreement and this AGREEMENT to the CITY.

5. MAINTENANCE OF WORK

It is further agreed that the DEVELOPER shall maintain the Work; (A) For a period of one (1) year after acceptance of the WORK by the City Engineer of the City of South Jordan, or (B) Until all deficiencies in the Work are corrected to conform to the Plans and the CITY standards and specifications for the Work, whichever is the later to occur. The DEVELOPER shall, upon written notice thereof, immediately repair or replace, without cost or obligation to the City of South Jordan, and to the entire satisfaction of said CITY, all defects and imperfections arising out of or due to faulty workmanship and/or materials appearing in said Work.

6. HOLD HARMLESS

It is further agreed that, commencing with the performance of the Work by the DEVELOPER or its contractor and continuing until the completion of the maintenance of the Work as provided in the AGREEMENT above, the DEVELOPER shall indemnify, hold harmless and defend the City from and against any or all loss, cost, expense, damage or liability, or claim thereof, occasioned by or in any way whatsoever arising out of the performance or nonperformance of the Work or the negligence or willful misconduct of the DEVELOPER or the DEVELOPER'S agents, employees and independent contractors.

7. INSURANCE

It is further agreed that: The DEVELOPER shall take out, or shall require any contractor engaged to perform the Work to take out, and maintain at all times during the performance and maintenance of the Work called for or required to be done hereunder, a policy of insurance naming the CITY and members of the City Council of the City of South Jordan, individually and collectively, and the officers,

agents and employees of the CITY individually and collectively, as insured. Said separate policy shall provide bodily injury and property damage coverage to the foregoing named CITY and individuals covering all the Work performed by, for, or on behalf of said DEVELOPER. Both bodily injury and property damage insurance must be on an occurrence basis; and said policy or policies shall provide that the coverage afforded thereby shall be primary coverage to the full limit of liability stated in the declarations, and if the CITY, its members of the City Council individually and collectively, and the officers, agents, and employees of the CITY, individually and collectively, have other insurance against the loss covered by said policy or policies, that other insurance shall not be called upon to cover a loss under said additional policy.

- A. Each of said policies of insurance shall provide coverage in the following minimum amounts: For bodily injury, \$100,000 each person; \$300,000 each occurrence, property damage, \$50,000 on account of any one occurrence with an aggregate limit of not less than \$200,000.
- B. The DEVELOPER shall file with the City Engineer at or prior to the time of execution of this AGREEMENT by the DEVELOPER such evidence of said foregoing policy or policies or insurance as shall be satisfactory to said City Engineer. Each such policy or policies shall bear an endorsement precluding the cancellation or reduction in coverage without giving the City Engineer at least ten (10) days advance notice thereof.


8. TERMS AND CONDITIONS

It is further agreed that the above named terms and conditions for said Assumption of Risk Agreement shall bind the heirs, successors, administrators or assigns of the DEVELOPER. The assignment of this AGREEMENT shall not be made without approval by the City Council of said CITY.


IN WITNESS WHEREOF, CITY has caused its name to be hereunto affixed by its City Clerk, thereunto duly authorized by approval of City Engineer and said DEVELOPER has hereunto caused its name to be affixed the day and year first above written.

Approved as to form:

CITY OF SOUTH JORDAN



City Attorney

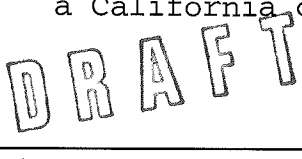


City Clerk

DEVELOPER

STERLING VILLAGE, L.C.

By: Prom Management Co., Inc.,
a California corporation



Jaclyn B. Safier
Senior Vice President

April 8, 1996

Timothy X. Toohey
Director of Construction
Pegasus Development Company
350 Bridge Parkway
Redwood City, California 94065-1517

RE: Letter dated April 1, 1996 (Sterling Village Early Grading Permit)

Dear Mr. Toohey:

This letter is to help clarify some of the questions you asked on the early grading permit list which I sent to you. The fourth paragraph of your letter discussed the issue of bonding. I do not see a need for the City to bond for your excavation except for the access road. The bond I do intend to review is for revegetation and erosion control. Once you have obtained final approval, this bond could be incorporated into your final bond.

The City Attorney is preparing the Assumption of Risk Agreement. You may be able to speed up this process if you could send me a copy of an agreement from another jurisdiction that I could submit to Mike Mazuran.


Once all the issues have been addressed, you may set up a pre-construction meeting by calling Kevin Rasmussen at (801) 558-9800. The people you are intending to invite should be adequate for this meeting.

If you intend to install sub-drain or retaining walls with this early grading permit, include these items with your grading plans. The fee for this permit will be put against the final engineering fee, once final approval is granted. I am not sure what the fee should be at this time.

I am intending that letters from irrigation users should only be from those affected by your grading. Anyone responsible for the water and the system you install will need to be involved.

If you have any questions, call me at (801) 254-3742.

Sincerely,
CITY OF SOUTH JORDAN

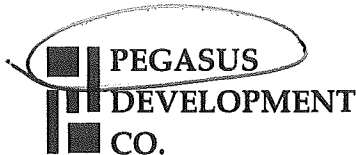


Gordon M. Haight II, P. E.
Public Works Director/City Engineer



SOUTH JORDAN
U T A H

File



April 4, 1996

VIA FACSIMILE & REGULAR MAIL

Mr. Dennis P. Larkin
Community Development Director
City of South Jordan
11175 South Redwood Road
Salt Lake City, UT 84095

Re: Sterling Village Apartments

Dear Dennis:

I wanted to express my appreciation for your well-written staff report presented to the City Council on April 2, 1996. I firmly believe that your report was fair and helped in pushing our project through the approval process. As you know, we had concerns prior to the Planning Commission meeting with some issues raised in your staff report, but now that the results are in, I can see that our concerns were probably unfounded.

I look forward to working with you over the next several weeks to iron out the minor details which have been recommended to be implemented in our final development plan by both the Planning Commission and the City Council. As previously stated, we truly believe that this will be the finest project the state of Utah has seen and we look forward to working with you and your entire staff throughout the process.

Sincerely,

William E. Reed
Director of Development

WER/aa

c: Sanford Diller
Tim Toohey
Pete Rocereto
Dave Millheim
Keith Snarr
Gerald Anderson
FILING: Sterling/Zoning/CityCorresp

South Jordan City
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believes the crossing at 10800 South will create real problems for the City.

Councilman Money said the alignment and agreement drafted prior to this City Council, needs to be honored and one way to honor the agreement is by going along with this proposed route.

Councilwoman Liddiard noted her main concern is the safety issue with the alignment of the road.

Mayor Hutchings said the safety issues were discussed at the Council meeting with the design engineers and they assured us this route was safe, safety always involves a human factor too.

Councilman Money seconded the motion. The vote was 3-2, Councilman Warne and Councilwoman Liddiard voted no, resolution passed.

VIII. PUBLIC HEARINGS

- A. PUBLIC HEARING - PRELIMINARY SITE PLAN: Sterling Village Apartments, 11000 South 500 West Street (Approximate) Commercial-Freeway Frontage (C-FF) Zone District. (Pegasus Development)

Community Development Director Larkin said on March 27 the Planning Commission approved the Preliminary Site Plan for Sterling Village with the following conditions:

1. Developer would improve the circulation plan;
2. Access to the Park land to the West should be restudied;
3. Buffering to the West, adjacent to Bob Schmidt's property, be incorporated into the plan (landscaping);
4. Make every effort to reduce surface parking and incorporate into off street parking;
5. Detached garages be located in parking lots only;
6. Asked for consideration of basketball facilities as a recreation amenity;
7. Study and incorporate architectural variety;
8. Study the 400 West intersection and Sterling Village access road; and
9. Comply with the City Engineer's comments concerning the levels of service.

Some of the resident comments, which Community Development Director Larkin summarized, were:

1. Apartment units were being decreased in size--actually they have increased in size;
2. Applicant was proposing carports--never proposed and will not be allowed;

3. Buildings were to be all brick--design is to be brick and stucco;
4. This project will look like the Pinnacle apartments in Sandy--Sterling Village is about half the density; and
5. City did not have public input--22 public meetings were held.

Community Development Director Larkin referred to the comparison table of development agreement requirements, with what is proposed with the Sterling Village project, and to the table on the Sterling Village Unit mix. He said that Staff feels it is a good project and are recommending it for approval.

Mayor Hutchings opened the Public Hearing, at this time.

Ken Keown, 11230 South 600 West, off the subject, thinks the City should change Tower Boulevard to Crescent Boulevard.

Mr. Keown has some major concerns: 1. Construction/traffic not be brought down 600 West or 445 West (roads are not wide enough); 2. Landscaping (fence on the South, landscaping on the West), and would like the trees started now so they have time to grow; and 3. Level of Service, there is no way to get there now.

Cem Lyman, 11279 South 445 West, lives close to where the apartments are going to go in. She is not looking forward to looking at the apartments, and wants trees and a fence (preferably an 8 ft. fence).

Steve McMillan, 11231 South 445 West, noted his vote in favor of the buffer zone to the South.

Mayor Hutchings declared the Public Hearing closed.

Councilman Carlile had the following questions: 1. carports, can it be part of the resolution to strengthen they will not be allowed?--yes. 2. Will the material for the garages be the same as the buildings?--yes. 3. Phasing maps, one of the buildings not darkened is the recreation area?--Project Manager for Pegasus said this area should also be darkened (part of Phase I). 4. Proposed reduction of green space for parking (to get all cars off the road)? Community Development Director Larkin responded it would be a reduction of 1.9 acres (leaving 44% open space). The development agreement calls for an estimate of 47%. The City would need to check with City Attorney Mazuran to see if 44% falls under the estimate. 5. Sidewalks?--There are sidewalks for the overall circulation through the development. 6. South boundary, keeping kids and livestock separate?--the development agreement calls for a wall to be constructed when development gets within 400 feet of the South boundary line (West is all open land). 7. Land buffer

for closest neighbor?--2 acres that is not part of the development agreement, but Pegasus did this with the property owner to mitigate their concerns.

Councilwoman Liddiard had a concern with boats and motor homes not being allowed in the apartment complex, and wondered how this would be policed? Billy Reed, Pegasus, said they will work something out for off site parking. Policing will be done to make sure recreational vehicles are not stored in the complex parking lot, this will be part of the lease agreements, and would be cause for eviction. A time limit will probably be a maximum of three days parking for recreational vehicles, but specifics will need to be worked out. Councilman Money would like the three day maximum, to be a condition of approval, and that Pegasus is responsible for policing this. Councilwoman Liddiard next asked about playgrounds. Billy Reed said there will probably be at least one tot area, a pool area, and within the center recreation area there is a play space for kids--anything more will be driven by demand. Councilwoman Liddiard then asked, for the record, what the range of rental fees were? Billy Reed said the range will be from \$800 - \$1,300.

Mayor Hutchings questioned security? Billy Reed said they typically respond to what is necessary. Some of their apartment complexes have 24 hour security, some are gated, and Pegasus will respond to what is needed.

Councilman Money asked about aluminum siding, Pegasus responded they are not that far along in the design. Councilman Money suggested that they stay away from wood. He also asked about the financial backing of Pegasus? Billy Reed said the owner of the company is Sanford Diller and they manage 15,000 apartment units throughout California, Oregon, Washington, and Arizona (owning about half of them). It is essentially a one man financing operation, they get debt financing from banks, but development projects are 100% equity financed and are privately held. Their intention is to keep them apartments, but going into any of these projects they have an exit strategy of making them into condominiums. Councilman Money asked who they would go through for bonding of water lines, storm drain, park impact fees that are being deferred, are they going to take out a construction loan? Billy Reed said financing will be a combination of equity (range of anywhere between 30% - 100%), and debt financing. Councilman Money next questioned the boundary South of this project and asked if they were proposing anything in this first phase? Billy Reed said they are not, and grading is the problem with starting trees now, however, if grading can be worked out he is not opposed to this.

Councilman Christensen said he likes the improvements that have been made from the original plan. He believes the landscaping is

key to making this a quality project. He asked if a specific management concept has been developed? Billy Reed said they are working on it right now, and are anticipating a portfolio manager, and an on site management team (approximately 20 management, 8 maintenance people).

Council discussed parking and the possibility of less open space (which is not desirable). Community Development Director Larkin and the Pegasus landscape architect will review the situation to come up with the best scenario.

Gerald Anderson, Anderson Development, suggested that on his commercial site (by the apartment complex), that Council look at perhaps putting in a fire crash gate and he can include that in the sale of his property.

Councilman Christensen made a motion to approve the preliminary site plan for Sterling Village, subject to the recommendations of the Planning Commission and the additional items: that there be no carports; garage materials need to match the architectural standards; RV parking is to be off site, and internally never to exceed three days; appropriate bonding of all public improvements, including park fees yet to be paid; club house and pool be included in Phase I; and that they look at the South boundary issue. Councilman Carlile seconded the motion. Councilman Warne said he does not like this project, unfortunately because of the contractual arrangements done by the previous City Council he will have to vote for it. Councilwoman Liddiard said she is not a multi unit advocate, has reservation voting for it but will reluctantly because she knows of all the work that has gone into it. The vote was unanimous in favor.

IX. RESOLUTIONS

A. RESOLUTION Expressing Support For Existing Freeway Businesses Located along the Frontage Road South of 10600 South Street in South Jordan City, Utah

City Administrator Millheim distributed Exhibit A of the resolution, during the Study Session.

Councilman Carlile felt it was critical to support and mitigate the potential damage of construction and realignment of the roads to the existing businesses. His motion was to adopt a resolution expressing support for existing freeway businesses located along the frontage road South of 10600 South Street in South Jordan City, Utah, and to take the actions consistent with the resolution as quickly as possible.

Councilman Warne felt it very important to be united on the issue

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of the traffic light, protected left hand turn, disagreements on whether we should cross at 10800 South and wondered if Councilman Carlile would amend his motion to approve the resolution, but deleting the last sentence on the first page which talks about connecting at 10800 South. Councilman Money clarified that Council has already approved it, and the sentence is redundant. Councilman Carlile said that can be included in his motion, and also wanted appropriate language on signage to be included. The language to be added is at the end of the third paragraph, last line, to include: traveling public; and **including appropriate directional signage.** Councilman Christensen seconded the motion. The vote was unanimous in favor.

X. ORDINANCES

A. None

XII. INFORMATIONAL ITEMS AND OTHER BUSINESS

A. CALENDARING ITEMS

1. April 9th Work Session Has Been Canceled

Noted.

2. Redwood Road Park Discussion. Set Date. Either April 16th or April 23rd - Meet with Parks Committee First?

Councilman Carlile said the little league have volunteered their efforts to get these ball diamonds going.

Councilman Warne noted on December 29 former Councilwoman Newbold suggested that Phase I for construction of the Park go out to bid and there was \$500,000 available. There was a meeting on January 9 where Council talked about the Park plan and Council affirmed the Park master plan as it is, and directed that Phase I be put out to bid. There would be a prequalification phase which would be completed by February 13, and a bid phase. He was under the impression that the City Council had given a directive that the Park go out to bid, and was shocked to find out that this directive had not been carried out the last week of March. He noted a project that started out at \$500,000, went to \$1.3 million on January 9, and is now close to \$1.6 million.

Councilman Warne noted the Park Capital Improvement Plan shows \$565,000 (\$30,000 spent)--remaining in FY 1995-96 is approximately \$530,000. In FY 1996-97, Administrative Services Director Behunin projects \$273,000 coming in, and the \$210,000 impact fees from the freeway frontage project will probably not come in (Pegasus

MINUTES OF THE SOUTH JORDAN CITY COUNCIL MEETING

APRIL 2, 1996

PRESENT: Mayor Theron B. Hutchings, Councilman Douglas Carlile, Councilman Thomas Christensen, Councilwoman Mary Lynn Liddiard, Councilman Kent Money, Councilman Richard Warne, City Administrator Dave Millheim, Administrative Services Director Sharlene Behunin, City Engineer Gordon Haight, Community Development Director Dennis Larkin, Administrative Secretary Candy Ponzurick, Economic Development Director Keith Snarr

CITIZENS: Bruce Kimmel, Russell Smith, Bryce Smith, Robert Elder, Mark Woolley, Brent Robison, Martin Worwood, 5th Ward Scout Troop 1869, Jesse Perez, David Perez, Don Stallings, BSA Troop 70, John Hall, Ann Scholes, Troop 823, Garth Cowley, Steve McMillan, Cem Lyman, Lisa and Carol Stocking

I. CITY COUNCIL STUDY SESSION

A. Sterling Village (Update on Planning Commission and/or Site Tour)

Community Development Director Larkin distributed copies of the November 20, 1995 Planning Commission Meeting Minutes. He noted this was the meeting where the Planning Commission approved the conditional use for Sterling Village. He added the Planning Commission approved the preliminary site plan, but had a number of concerns. They were:

1. Access to the Park land that was in the wrong location-- this will be taken care of

Councilman Warne asked if the access from Sterling Village to the 35 acres of Park land is for residents of Sterling Village only, or for the general public? Community Development Director Larkin felt it would include the general public, however, the detail planning for access to the Park has not been done. The overall strategy will probably include pedestrian bridges from the Jordan River Parkway (on the West). Mayor Hutchings questioned equipment access? Community Development Director Larkin said the development agreement calls for access, and he will make sure it is wide enough for large equipment.

Economic Development Director Snarr said South Jordan has submitted an application to the Central Utah Project (CUP), authorizing mitigation funding. One project is the Audobon Society (North of 10600), and the second is the City project (South of 10600). There were 153 applications received, and 30 - 40 should receive partial funding--South Jordan is expecting partial funding.

South Jordan City
City Council
April 2, 1996

The Sharon Steel is another program and South Jordan is hoping, between the two programs, to obtain enough funding to do mitigation for the wildlife. Sharon Steel did not complete the proper advertising, through the federal process, and applications will have to be resubmitted by April 15. This ties into the above discussion because, with this funding, South Jordan would have the funding source to purchase the Hardcastle and Johnson properties. He said there is a lot of money out there, i.e., river enhancement, and nonmotorized trails. Community Development Director Larkin thought a future work meeting with the Council would be beneficial to update them on everything that is going on, including land development issues and decisions that need to be made.

2. Incorporating the buffering

Pegasus is intending to buffer with heavy landscaping (not a wall), and the South Jordan Staff will work with them on this. Bob Schmidt, a property owner, has concerns with buffering by his property to the West. City Administrator Millheim noted the only thing in the development agreement is buffering properties to the South.

3. Reducing surface parking

Tim Toohey is agreeable to alleviating parking concerns, and a meeting is scheduled to improve the parking situation. The City Council discussed parking at 1.85 cars/unit and had some concern with this, but favored increased open space. Community Development Director Larkin felt there were things that could be done to improve the parking situation, and the upcoming meeting will address them.

Councilman Carlile questioned the Phasing Plan map and the dark areas (indicating development in the 1st Phase). He noted the dark areas did not include a Recreation Center. Staff said this issue was raised, and the Recreation Center is included in Phase I. Councilman Christensen questioned in the other site plans there were three story buildings, and in the current site plan you cannot see any. Community Development Director Larkin explained what Pegasus has done is added two units to all of the two story buildings, in the back, which make the units a little higher architecturally. The proposal for three story buildings was 18.75 acres and the current project is 18.35. Architectural variety will also now be included in the buildings.

4. Incorporate all off street parking (detached garages) in the parking lot areas

There are ten garages in each building, and there will be two detached garages for each building. Councilman Christensen

South Jordan City
City Council
April 2, 1996

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requested a sketch to see how this will look. Councilman Money thought something should be put in the agreement stating carports are not allowed, and parking along the side of the road will always be open parking. Community Development Director Larkin said this should be in the condition of approval of the site plan.

5. Basketball facilities

Community Development Director Larkin recommended to Tim Toohey that on some of their recreation hard surface that basketball facilities be included, if there is a demand for it. Councilman Christensen asked if there would be room for a sports court (tennis court, basketball)? Community Development Director Larkin thought if it were not a full length tennis court it would be possible.

6. Applicant comply with the engineers comments concerning the level of service

Community Development Director Larkin noted some of the other major issues that were brought up at the Planning Commission Public Hearing. One resident noted this project was going to look like the Pinnacle project in Sandy. The Pinnacle project is 50% higher density (and all three story), than the Sterling Village project. Another issue brought up was that South Jordan did not have public input. Community Development Director Larkin noted 15 Public Hearings that were held.

City Administrator Millheim noted a bill that mandates that every City must have an affordable housing plan adopted by January 1, 1998, must meet certain standards, and be incorporated into the City's Master Plan. He felt this project would probably not satisfy the affordable housing criteria.

Councilman Money asked about the light out on 500 West. Community Development Director Larkin told Pegasus that the City has no plans to put in a traffic light, and Pegasus has no legal obligation to put the light there as well. However, there will eventually be a demand for a light, so the City is designing it for one.

Councilman Money questioned if the apartments were eventually planned to be condominiums? Community Development Director Larkin said amenities were not being built in that would make them attractive to turning them into condos. Councilman Carlile noted the apartment complexes they visited in California, stayed apartments.

Council discussed, briefly, the financial stability of Pegasus Development and bonds that will be posted. Councilman Warne wanted to make sure Pegasus posted bonds for the Park fees they are deferring.

South Jordan City
City Council
April 2, 1996

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Councilwoman Liddiard asked what a 404 permit is? City Engineer Haight said it is the Corp of Army Engineers permit for going into wetlands.

Councilwoman Liddiard next questioned Peach Blossom Final Bond Releases. City Engineer Haight explained two years ago the bonds lapsed. He further said things may have been promised, and the roads and sidewalks have problems. Councilman Warne suggested a spreadsheet to keep track of bonds. City Engineer Haight said these things are currently being done, but old bond releases are being cleaned out.

II. GENERAL BUSINESS

A. Roll Call and Prayer

Council members present, as listed above. Councilman Money offered a prayer.

B. Approval of the Agenda

Councilman Warne asked that items V. B., C., and I. be pulled from the SUMMARY ACTION CALENDAR, and moved to VI. SUMMARY ACTION ITEMS HELD OVER. Councilman Christensen made a motion to approve the agenda, as amended. Councilman Carlile seconded the motion. The vote was unanimous in favor.

C. Mayor's Minute

Mayor Hutchings asked that the Scout Troops in the audience be introduced. Troop 1557, Troop 70, Troop 1869, and Troop 823 were in attendance.

III. AWARDS, PRESENTATIONS, APPOINTMENTS, AND PROCLAMATIONS

A. RESOLUTION Appointing Rebecca Ann Anderson to South Jordan Arts Council

Councilman Carlile said the Arts Council has a mission of providing artistic opportunity for South Jordan citizens. Councilman Carlile read the resolution appointing Rebecca Ann Anderson to the South Jordan Arts Council. Rebecca Anderson was ill and was not in attendance. Councilman Carlile made a motion to adopt the resolution appointing Rebecca Ann Anderson to South Jordan Arts Council. Councilman Money seconded the motion. The vote was unanimous in favor.

IV. CITIZEN REQUESTS

SOUTH JORDAN CITY REQUEST FOR CITY COUNCIL ACTION

TO: Honorable Mayor and City Council

FROM: Community Development Director

DATE: April 2, 1996

SUBJECT: PUBLIC HEARING, PRELIMINARY SITE PLAN, STERLING VILLAGE APARTMENTS, 11000 SOUTH 500 WEST STREET (APPROXIMATE), COMMERCIAL-FREEWAY FRONTAGE (C-FF) ZONE DISTRICT, PEGASUS DEVELOPMENT (APPLICANT).

RECOMMENDATION

Staff recommends APPROVAL of the Preliminary Site Plan subject to the developer addressing the issues raised in our staff reports and those raised as conditions of approval by the Planning Commission.

BACKGROUND

On Wednesday, March 27, 1996, The Preliminary Site Plan for the Sterling Village Project was approved by the Planning Commission by a 3-1 margin with the following conditions: That the developer improve the pedestrian circulation plan; access to the park land to the west shall be restudied, appropriately located and incorporated into the site plan; that buffering to the west adjacent to Bob Schmidt's property be incorporated into the plan; that the applicant make every effort to reduce surface parking perpendicular to the road system and incorporate into off-street parking lots; that detached garage locations be in parking lots only; that basketball facilities are considered as recreation amenities; that the applicant study and incorporate architectural variety in the buildings; that the applicant study further, the intersection of the 400 West Street and the Sterling Village access road, and that the applicant comply with the City Engineer's comments concerning the levels of service.

There were many comments made at the public hearing - many of which had little or no factual basis. We would like to summarize for City Council most of those comments and review the factual data that has application.

Some of the residents' comments were as follows:

- **The apartment units were being decreased in size.** Actually, just the opposite has resulted with an average unit size of 1,162 sq. ft. (See Table 2).

- **The applicant was proposing carports.** The applicant has never proposed carports and the City would never allow carports in the project.
- **The buildings were to be all brick.** The applicant has been consistent in their architectural design of brick and stucco and have complied with the Development Agreement.
- **The project is going to look like the Pinnacle Apartment project in Sandy.** In fact, the Pinnacle is at 30 units/acre, while Sterling Village has a proposed density of 15.7 units/acre. This is about half the density, with considerably improved architectural style.
- **The City did not have public input in the preparation of the Development Agreement with Pegasus.** The City held no less than 15 public hearings, an additional 7 public meetings as well as 9 work meetings. It would appear that considerable input was received by the Planning Commission and City Council before the Development Agreement was drafted, discussed in public meetings, and formally approved.

Following is a chronological listing of all the meetings held by the Planning Commission and City Council regarding the freeway frontage land development project and subsequently, the Pegasus Development Project. This information is provided to clearly convey to Council that appropriate steps were taken with public input, for the amendment to the General Plan and the rezoning of the property to the C-FF Zoning classification. Following considerable public input, development agreements were prepared by the City for signature by the City and Gerald Anderson and the Pegasus Group. This particular development project has been in the process since late 1994. As indicated below, 15 public hearings took place; 22 public meetings including public hearings (City Council and Planning Commission); numerous staff and developer negotiation meetings (Minutes are available for all meetings); and an additional 9 work session meetings, one of which was a closed session regarding property acquisition during 1995.

LISTING OF PUBLIC MEETINGS

- November 30, 1994 - Planning Commission **Public Hearing:** Rezoning #SJ-252-94Z, 360 West 11400 South, 26.34 Acres, Agricultural (A-5) to Commercial-Freeway Frontage (C-FF), L.D. Fairbourn Family & Gerald Anderson (Applicants)
- December 14, 1994 - Planning Commission **Public Hearing:** Rezoning #SJ-258-94Z, 438 West 11000 South, 5.6 Acres, Agricultural (A-5) to Residential-Multi Use (R-M), J. Robert & Owen D. Brimhall and Gerald Anderson.
- January 3, 1995 - City Council **Public Hearing:** Rezoning #SJ-258-94Z, 438 West 11000 South, 5.6 Acres, Agricultural (A-5) to Residential-Multi Use (R-M), J. Robert & Owen D. Brimhall and Gerald Anderson.
- January 17, 1995 - City Council Action Item: Rezoning #SJ-258-94Z, 438 West 11000

South, 5.6 Acres, Agricultural (A-5) to Residential-Multi Use (R-M), J. Robert & Owen D. Brimhall and Gerald Anderson.

- March 7, 1995 - City Council **Public Hearing**: Rezoning #SJ-252-94Z, 360 West 11400 South, 26.34 Acres, Agricultural (A-5) to Commercial-Freeway Frontage (C-FF), L.D. Fairbourn Family & Gerald Anderson (Applicants)
- March 21, 1995 - City Council Action Item: Rezoning #SJ-252-94Z, 360 West 11400 South, 26.34 Acres, Agricultural (A-5) to Commercial-Freeway Frontage (C-FF), L.D. Fairbourn Family & Gerald Anderson (Applicants).
- April 12, 1995 - Planning Commission **Public Hearing**: Rezoning #SJ-263-95Z, 300 West 11400 South, 7 Acres, A-5 to C-FF, Gerald Anderson & George Pingree (Applicants).
- May 2, 1995 - City Council **Public Hearing**: Rezoning #SJ-263-95Z, 300 West 11400 South, 7 Acres, A-5 to C-FF, Gerald Anderson & George Pingree (Applicants).
- July 26, 1995 - Planning Commission **Public Hearing**: Rezoning #SJ-271-95Z, 445 West 10000 South, 22.94 Acres, A-1 to R-M, Verona Kemp & Gerald Anderson (Applicants).
- July 26, 1995 - Planning Commission **Public Hearing**: Rezoning #SJ-272-95Z, 435 West 10000 South, 1 Acre, A-1 to R-M, Shanna & Paul Svedin and Gerald Anderson (Applicants).
- July 26, 1995 - Planning Commission **Public Hearing**: Rezoning #SJ-273-95Z, 11200 South 600 West, 16.55 Acres, A-1 to R-M, Robert A. Schmidt & Gerald Anderson (Applicants).
- August 16, 1995 - Planning Commission Presentations: Presentation by Anderson Development of Development Plans for Properties Within the Proposed Special Improvement District.
- September 13, 1995 - Planning Commission **Public Hearing**: Proposed Amendment to Future Land Use Plan for Property Generally Located between 11000 South and 11200 South Streets and between 300 and 600 West Streets from Rural-Residential (R-R) to High Density Residential (HDR).
- September 27, 1995 - Planning Commission **Public Hearing**: Proposed Amendment to Future Land Use Plan for Property Generally Located between 11000 South and 11200 South Streets and between 300 and 600 West Streets from Rural-Residential (R-R) to High Density Residential (HDR).
- October 3, 1995 - City Council **Public Hearing**: Proposed Amendment to Future Land Use Plan for Property Generally Located between 11000 South and 11200 South Streets and between 300 and 600 West Streets from Rural-Residential (R-R) to High Density Residential

(HDR).

- October 3, 1995 - City Council **Public Hearing**: Rezoning #SJ-271-95Z & SJ-273-95Z, Property Generally Located Between 11000 South and 11200 South and between 300 and 600 West, A-5 to R-M.
- November 2, 1995 - Special City Council Meeting: Update on Negotiations on Freeway Frontage Project & Discussion of Site Visit to California.
- November 8, 1995 - Planning Commission **Public Hearing**: Proposed Amendment to the Future Land Use Element of the General Plan allowing for a Mixed Use Category affecting property between 10600 and 11400 South Streets and between I-15 and the Jordan River.
- November 20, 1995 - Planning Commission Conditional Use Application: Multi-Unit Residential Development, Generally Located at 400 West 11000 South Street, C-FF Zone, 54.47 Acres, Pegasus Development (Applicant).
- November 21, 1995 - City Council Conditional Use Application: Multi-Unit Residential Development, Generally Located at 400 West 11000 South Street, C-FF Zone, 54.47 Acres, Pegasus Development (Applicant).
- November 28, 1995 - City Council Action Item: Conditional Use Application: Multi-Unit Residential Development, Generally Located at 400 West 11000 South Street, C-FF Zone, 54.47 Acres, Pegasus Development (Applicant).
- March 27, 1996 - Planning Commission **Public Hearing**: Preliminary Site Plan, Sterling Village Apartments, 11000 South 500 West Street, C-FF Zone, Pegasus Development (Applicant).

We have summarized in matrix form for ease of analysis, the requirements in the development agreement together with the current proposals by the developer: (See Table 1).

In the memo staff wrote to the Planning Commission, we expressed concern with the large amounts of surface parking perpendicular to the street, and would be willing to concede some open space to accomplish a reduction in this type of parking. The only decrease in open space is the back out area of 108 square feet for 541 spaces, or about 1.34 acres. Council should decide if this reduction is warranted. As noted in our earlier memo, there are some areas where parking lots will be difficult to develop and other areas where shorter streets can be used as parking areas rather than apartment access points. We trust the developer will work with us on the parking issues.

Other concerns centered around those issues raised by the Planning commission and will be addressed by the developer before the Phase I Final Site Plan is submitted for approval.

Finally, the road from 10600 South which provides access to the Pegasus access road continues to be questioned as to location and adequacy of the intersection of the two roads. Our City Engineer and traffic engineering consultant have confirmed that the intersection meets required safety standards. We see no value in continuing to raise these questions when they have been answered.

We feel you have the facts about this project before you to assist in your evaluation. We will be available to answer any questions you may have for clarification.

Respectfully submitted,

Review and Concur,



Dennis P. Larkin
Community Develop Director

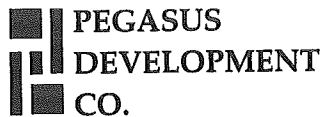


Dave Millheim
City Administrator

TABLE 1. COMPARISON OF MAJOR DEVELOPMENT REQUIREMENTS & PROPOSALS FOR THE STERLING VILLAGE PROJECT

Development Issues	Development Agreement Requirements	Proposed Project
Number of Units	880 Maximum	874
Building Height	38 Feet Maximum	35 Feet (Approximate)
Minimum Unit Size	650 Square Feet At Least 60% not less than 1000 Sq. Ft. At Least 85% not less than 850 Sq. Ft.	920 Square Feet 63% 100%
Garages	For Each Unit 60% Attached	874 Garages 84% Attached
Minimum Off-Street Parking	1.8 Cars/ Unit	1.85 Cars/Unit
Open Space	47% Guaranteed	47%
Building Separation	14 Feet	20 Feet (Generally-Some Closer)
Interior Roadway	10 Foot Driving Lanes	12 Foot Driving Lane

Building Materials	Combination Brick & Stucco Brick Veneer in Natural Earthtones Roofs- Composition Shingle No Aluminum Siding Metal Finishes are non-reflective	Meets Requirements See Exhibit D (item 4) of Development Agreement
Construction to the South	Sound Barrier Wall at South Property Line when Construction comes within 400 Feet	Complies
Variances	Approved for Project Subject to Attached Design Conditions	Variances to C-FF Building Materials (85% Brick) (See last paragraph of item 6, Exhibit D)
City Ordinances	Required to Comply	Complies except for Building Materials in C-FF Zone District



RECEIVED

APR 04 1996

ENGINEER DIVISION

April 1, 1996

VIA FACSIMILE & REGULAR MAIL

Mr. Gordon Haight
City Engineer, Public Works Director
City of South Jordan
11175 South Redwood Road
Salt Lake City, UT 84095

Re: Sterling Village
Early Grading Permit

Dear Gordon:

I am in receipt of your early grading permit requirements memorandum dated March 19, 1996. I would like to thank you for preparing this document as it will provide us with the guidelines that we need in order to obtain this permit.

We are very anxious to begin the grading as soon as possible. As you know, the window of opportunity for construction work is limited by the winter months and activities such as stucco application, grading, and landscaping can all be delayed if they are not performed prior to the onset of winter. For this reason, it would be a significant cost and time savings to our project if the City were to grant us an early grading permit.

We are on the agenda for the City Council to approve our preliminary plan for next Tuesday, April 2, 1996. It is our intent to finalize our plans and complete the City entitlement process in the following six to eight weeks.

Eckoff, Watson & Preator are in the process of preparing an estimate for the cost of the rough grading improvements. Once I am in receipt of this, I will pursue a bond as directed in your March 19, 1996 memorandum.

Also in your March 19, 1996 memorandum, you made mentioned of an Assumption of Risk Agreement. I would greatly appreciate you providing me with this agreement in as timely a fashion as possible. As I said, we are very anxious to get started grading and would like to have this agreement executed as soon as possible. Could you please inform me as to when you expect your attorney to draft and complete this agreement?

Mr. Gordon Haig
April 1, 1996
Page 2

I would like to schedule a pre-construction meeting for April 5, 1996. It is my intent to have our grading subcontractor, our soils engineer, our civil engineer and our field staff present for this meeting as well as the City. Is this list complete? Are there other people that should be in attendance at this meeting?

In your March 19, 1996 memorandum you mentioned that "no permanent structure or piping may be installed." I have a question about retaining walls and sub-drains. There will be a significant number of retaining walls on-site and I want to make sure that I do not excavate a vertical cut and then I am not able to install a retaining wall. Obviously there are scheduling and grading techniques that will help us surmount this problem, but I wanted to see if it would be possible for us to install the retaining walls at the traditional point in the schedule. Will these retaining walls be permitted through the building department or public works? As you know, sub-drains may be required in some fill areas, depending on the conditions that are exposed and the requirements of the soils consultant. I am assuming that your reference to "no piping" being installed primarily applies to the traditional storm drain utilities, sanitary sewer, etc. Is my understanding correct?

Your memorandum also addressed an excavation permit fee. Could you please delineate the cost of this permit for us? I see no specific amount referenced in the Development Agreement.

Item #13 of your March 13, 1996 memorandum indicates that we will need to provide the City with a "signed letter of approval from affected irrigation users." I assume that you meant the users of the irrigation systems that we intend modify. Is my understanding correct?

I look forward to your response. Please do not hesitate to contact me at 415.596.5337.

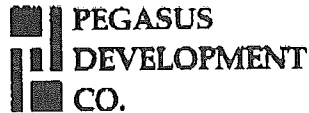
Very truly yours,



Timothy X. Toohey
Director of Construction

TXT/aa


c: Billy Reed
Pete Rocereto
FILING: Sterling/Zoning/CityCorresp



MEMORANDUM

VIA FACSIMILE

TO: Dennis Larkin, City of South Jordan
Gordon Haight, City of South Jordan
Tony Guzzardo, Guzzardo & Associates
Bob Elder, Eckhoff, Watson & Preator
Pete Rocereto, Pegasus Development Co.

FROM: Tim Toohey 

DATE: April 4, 1996

RE: Sterling Village -
Meeting on Tuesday, April 9, 1996

The purpose of this notification is to confirm the meeting on Tuesday, April 9, 1996 at 10:30 a.m. at the City of South Jordan. The purpose of this meeting is to discuss site plan issues as they relate to City Council and Planning Commission concerns. We will also discuss phasing and the At-Risk grading permit requirements.

If you have any questions, please do not hesitate to contact me at 415.596.5337.

TXT/aa

c: Billy Reed
FILE: Sterling/Zoning/CityCorresp

PEGASUS DEVELOPMENT COMPANY

350 Bridge Parkway
Redwood City, CA 94065-1517
Telephone: 415.596.5300
Facsimile: 415.596.5374

FACSIMILE COVER**Date:** 4/4/96**Time:** 4:55:52 PM**To:** Gordon Haight**Facsimile #:** 801-254-3393**Company:** City of South Jordan**From:** Timothy X. Toohey**Re:** Risk Agreement**Number of pages (including cover sheet):** 1**COMMENTS:**

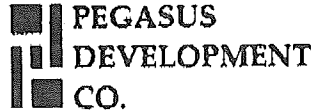
Gordon

I am very anxious to receive your Risk Assumption Agreement. Please FAX me a copy as soon as it is availalbe.

Thank you,

Tim Toohey

For any transmittal problems, please contact Arsho Avetian at 415.596.5375



April 1, 1996

VIA FACSIMILE & REGULAR MAIL

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City Engineer, Public Works Director
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Mr. Gordon Haight
April 1, 1996
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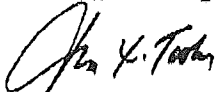
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Very truly yours,



Timothy X. Toohey
Director of Construction

TXT/aa

c: Billy Reed
Pete Rocereto
FILING: Sterling/Zoning/CityCorresp

unrealistic because it does not create nor preserve open space. He stated that, if the acre minimum is preserved, the new zoning should be A-1.

Mr. Larkin stated that by rezoning to R-1.8, the land will stay in conformance with the Plan since the subject parcel is 1.78 acres in size unless, the applicant chooses to split the lot in the future into three (3), ½ acre lots.

Mr. Larkin pointed out that there are adjacent parcels that are not large enough in size to conform to the 1 acre minimum.

Mr. Larkin stated that staff was recommending approval of this request.

Chairman Romph declared the public hearing open and invited anyone with comment or concern to come forward. As there was no one present Chairman Romph closed the public hearing and opened up discussion among the Commission members.

Matt Sellers asked if there is a zone that would better implement the General Plan? Mr. Larkin stated that the A-1 Zone requires a minimum 1 acre lot density.

Mr. Sellers asked if there is a way to make approval conditioned upon the creation of no more than 2 lots on this parcel? Mr. Larkin stated that this could not be done. Zoning goes with the property. The R-1.8 Zone requires a minimum ½ acre lot density.

Mr. Larkin explained that he had asked the building department to research the number of building permits issued for acre lots or bigger. There have been 14 acre lots built on in the last two years. Two of these were in subdivisions. 11 were built on in 1994, 3 in 1995, and there have been none in 1996. Economically, it is not feasible to purchase acre lots unless you have owned it for many years.

Chairman Romph called for any further discussion. Seeing none, he called for a motion. Richard Allen made a motion to recommend approval of rezoning application SJ- 287-96Z from A-5 to R-1.8. Bradley G. Marlor gave the motion a second. The vote was 3 in favor with Chairman Romph voting in opposition. Mr. Romph stated that he was opposed due to the potential of creating ½ acre lots when the intent of the Plan is 1 acre lots in this area.

E. Preliminary Site Plan, Sterling Village Apartments, 11000 South 500 West Street (Approximate), Commercial-Freeway Frontage (C-FF) Zone District, Pegasus Development (Applicant).

Tim Toohey & Billy Reed of Pegasus Development were present. Chairman Romph explained that the developer will present there information and then Community Development Director Larkin will review the position of the City Staff.

Chairman Romph declared the public hearing open and invited the developers to speak to the Commission and the citizens present.

Mr. Billy Reed, Pegasus Development displayed maps of the proposed project. He explained the difference in the maps displayed. Mr. Reed stated that previously, all of the buildings were three story buildings. He explained that now, there are two story buildings with 10 units and attached garages. There are also three story buildings with detached garages. By doing this, they were able to increase the size of the units, but still preserve the unit count that was necessary to make this project economically feasible. Mr. Reed stated that this is a much better plan.

Community Development Director Larkin reviewed the application. He explained that originally, Pegasus proposed 68 buildings. These consisted of 60 buildings with 10 units each and 10 attached garages, and eight, 3 story buildings with 36 units and 40 underground parking spaces. Mr. Larkin stated that City Staff felt this provided a more open feeling on the site by removing 320 parking spaces from surface parking and adding 1.9 acres to open space.

Mr. Larkin explained that since the original application, the applicant has informed the City that the underground parking was not economically feasible.

A second site was submitted which eliminated the eight, 3 story buildings and replaced them with 14, two story buildings, adding two units to most of the now 74 structures. Therefore, instead of 68 buildings, the plan now proposes 74. The underground parking is now part of the surface parking on the site.

Mr. Larkin stated that staff does have some concerns with the site plan currently submitted. He stated that it does not meet the 47 percent open space required in the Development Agreement. There is some flexibility in the Development Agreement concerning open space. This can be worked out. Mr. Larkin stated that the applicant must also comply with the garage requirement in the Development Agreement of one garage per unit. This would require an additional 140 garage spaces on the site. He explained that staff strongly recommended locating the detached garages in the off-street parking lots and not horizontal to the roadways.

Mr. Larkin also expressed concern with the allocation of surface parking perpendicular to the street. 541 parking spaces are indicated. Staff feels this is excessive. Mr. Larkin stated that the pedestrian circulation system as presented needs considerable additional thought also. Some of the buildings have no pedestrian access from the parking areas.

Mr. Larkin stated that the City has no plans to install a traffic control light system at the intersection of the Pegasus Road and the main road from 10600 South to 11400 South. He explained that the developer will have to deal with this issue in the future.

Mr. Larkin stated that staff wants this to be a good project and if these issues can be addressed, they support this project.

Chairman Romph asked that all people wishing to speak, please bring their speaker cards to the front. He explained that if some have not filled out cards, they can come to the microphone and give their name and address, before addressing this issue. Chairman Romph asked that all comments and concerns be concise and to the point to allow as many citizens as possible the opportunity to speak.

Chairman Romph opened the public hearing.

Mr. Larkin explained that the City does not have a preliminary site plan process in place. Site plans are generally considered as a preliminary/final before both the Planning Commission and the City Council. Due to the size of this project, a preliminary site plan process has been implemented. Mr. Larkin stated that consequently, all issues have not been addressed that would be in a preliminary/final site plan such as a detailed landscaping plan. This will be addressed in the phases as they come in for final approval. Site lighting will also be addressed in the phasing. Amenities are addressed in the Development Agreement and will also have to be adhered to by the developers as the project comes in for final approval for each phase. Mr. Larkin also addressed the buffering requirement as the development progresses, stating that a wall will be constructed when development comes within 400 feet of the south property boundary.

Gary Sturdevant, 241 West 11000 South: He explained that they resided immediately east of the railroad tracks. Mr. Sturdevant stated that in December, they had a incident that required ambulance service. He stated that the service was very high caliber.

Mr. Sturdevant stated that no one in the area has expressed disapproval of this project. It will be part of the support of the commercial development in the area. He asked that this be approved.

Dix McMullin, 10516 South 1540 West: He asked if the applicant could respond to the proposed rental rates. Mr. McMullin asked if these rates will now go down since the quality and size is being lowered? He stated that he does have some of the same concerns that Mr. Larkin has expressed. Mr. McMullin stated that this project will be there for a long time. He asked that it be a quality development such as the plan first submitted. This should be the very best.

Gerald Anderson: Mr. Anderson explained that he was the master developer of the entire 300 acre area. He stated that he had not had the opportunity to review the newly submitted site plan. Mr. Anderson stated that he did have some questions that he would ask Pegasus to address.

Mr. Anderson asked how many parking spaces for each unit for residents and guests? He asked that the phasing be addressed also. Mr. Anderson also expressed concern about access to the South Jordan Parkway. He indicated on the site plan the area in question explaining that he was required as part of his master site plan to dedicate this area to the City for a park. The City would then be able to use this for storm drainage. Mr. Anderson explained that he was working with the City Engineer on this. He stated that as this is laid out on the current plan, access is not provided to the park, but rather, to Bob Schmidt's property.

Mr. Anderson also asked for a definition on what the amenities would be as they have changed a few times.

Mr. Anderson stated that he felt there was a misunderstanding of what was said. He asked if a listing of sizes and numbers of 1, 2, and 3 bedroom units could be given?

Mr. Reed stated that he would address these questions at the conclusion of the public hearing.

Luane Jensen, 11186 South 2700 West: Ms. Jensen stated that she was involved in some of the meetings concerning this project. It was presented as the showcase of the Wasatch Front. Ms. Jensen stated that it should be. Now, the developers have decided that what they originally proposed is not cost efficient. She stated that she would like to echo Mr. McMullin's comments.

Ms. Jensen stated that the location of the road should be established before any site plan can be approved. If the City has to build this road, it will cost between 8 and 10 million dollars.

Originally, the citizens were told that this money would come from impact fees and property taxes.

Now, we have been told that the City is basically broke due to commitments for this project. The rest of the citizens will now have to wait for any improvements such as re-paved roads, and sidewalks. If the City has to hold up their end of the bargain, Pegasus should have to do likewise.

All of the things originally promised should be delivered. Ms. Jensen stated that while the developer may feel that these things are now not cost efficient, the road is not cost efficient to the City. She stated that as a citizen, she resents all of the money being spent on this project.

Ken Keown, 11230 South Brooke-N-Lance Lane: Mr. Keown stated that Mr. Anderson had asked many of the same questions so he just had a few. He stated that he was concerned about the landscaping and would like to know what the landscaping plan is. He stated that the 400 feet previously talked about is very important not only to the south side, but to the west side also. Although a wall was not required on the west side, landscaping was included with large caliper trees to eliminate the development construction in view of existing residents. Mr. Keown asked

about the number of building sites? This has changed from 68 to 74 buildings and from 10 unit levels to 12 unit levels.

Mr. Keown stated that this plan is a vast improvement, but asked that it be improved further. It appears to have more roof lines. This needs to be looked at.

Jean Bateman, 3065 West 10400 South: Ms. Bateman stated that she also attended many of the meetings where this project was being considered. There was concern about the type of people renting these apartments. We were told they would be very well to do people, maybe husband & wife only without a lot of little children. Ms. Bateman stated that as she looks at the current proposal, she feels they will strongly resemble the Pinnacle development. In the beginning of this application, the citizens ask the City Council to please go up and look at the Pinnacles. There have been many articles in the newspapers about them and the citizens unhappiness with that development.

Ms. Bateman stated that she is very concerned about promises made that do not appear to be being kept.

Steve McMillan, 11231 South 445 West: Mr. McMillan stated that he will live directly south of this development. He stated that he has talked with Mr. Larkin about the buffer zone and the wall. He asked that it be made part of the public record that there will be a wall to the south of this development. Mr. McMillan stated that they would like this to be a first class development as promised.

Marvin Miller, 11234 South 445 West: Mr. Miller stated that his major concern was answered concerning the barrier wall to the south. He explained that they will live closer to this development than anyone else.

Mr. Miller stated that he has not seen what others are suggesting such as the diminishment of what was discussed to begin with. He stated that if people think that Pegasus will build something that will not rent, they are mistaken. They are the ones that really have a financial stake here. Mr. Miller stated that it is apparent that there are some things that need to be worked out and fine tuned.

He asked that this be approved.

Marnie Wheelock, 9916 South 1745 West: Ms. Wheelock stated that due to circumstances in her life in the last year, she has learned how to do business. If a commitment is made, you have to stick to it. Many commitments were made by the developers. These need to be kept.

Ms. Wheelock stated that there is a major parking problem through out South Jordan. In the past, we have not adequately addressed providing parking for people coming to our community. This needs to be looked at very closely. She stated that when this development was originally proposed, Micron was mentioned as providing potential renters. Now, Micron is not coming. There may be other possibilities, but at this time, there are none. Ms. Wheelock questioned the need for this many units. She stated that she is offended that at this late stage, the developers are coming in and asking for changes in the numbers, parking, and open spaces. These are things that were set firm.

Ms. Wheelock stated that if the citizens have to live with the contract made with Pegasus, Pegasus should have to live with the contract also. If they are not willing to do this, then we should renegotiate a new contract which is fair for both sides.

Bob Schmidt, 11200 South 600 West: Mr. Schmidt stated that his property borders this property on the west side. He stated that he is offended that the developers are asking to make changes in the original plan this late in the game. Mr. Schmidt stated that Pegasus has made a commitment and should stand by this commitment.

Chairman Romph called for any further comment. Seeing none, he closed the public hearing and thanked those that spoke for their input. He ask Mr. Larkin to address as many of the questions asked as possible. He also asked Mr. Reed of Pegasus to address questions.

Mr. Larkin stated that he is unable to address the rental rates. This is something Mr. Reed will have to address.. Mr. Larkin did speak to the number of units planned. The Development Agreement calls for a maximum of 880 units. The current plan is for 874 units.

Mr. Larkin stated that the percent of the proposed green area is approximately 44.2%. This is substantially within the confines of the Development Agreement.

Mr. Reed also addressed the green space. He indicated on the plan, an area that is planned as completely landscaped interior courtyards. This should be part of the calculated open space which would then make it 47%, which is what is called for in the Development Agreement.

Chairman Romph asked Mr. Reed to address the question concerning the rental rates. Mr. Reed stated that the rent will be from \$800.00 to \$1,300.00 per month. He stated that this is still planned as a high-end market development.

Mr. Larkin stated that the Development Agreement calls for 1.8 parking spaces per unit. This is in compliance. Chairman Romph stated that this would be 1 garage per unit, with the additional area for guest parking. Mr. Larkin concurred with this. Mr. Romph asked if all garages are

attached? Mr. Reed stated that there are some detached. Bradley G. Marlor asked the number of detached garages? Mr. Reed explained that there will be 140 detached garages. 83% of the units will have attached garages. Every unit will have a garage. 140 of these will not be attached which will be accessed through the courtyard.

Richard Allen stated that the Development Agreement calls for 60% of the units to have attached garages, so this plan is well within the agreement.

Mr. Larkin addressed the square footage of the units, stating that they have increased. The minimum square footage is 920 square feet. The average for all units is 1162 square feet. Richard Allen stated that the Development Agreement calls for a minimum of 650 square feet, with 60% of the units with 1000 square feet or greater.

Mr. Larkin stated that there have been concern about carports. There are no carports in this development. Every unit will have a garage with outside parking provided for guests. This will not be carports or covered parking.

Mr. Larkin stated that there has also been concern about exterior materials. In the Development Agreement, all brick was never called for. Mr. Larkin read the portion of the Development Agreement that addresses exterior building materials on page 20 of the Agreement. He explained that the Agreement is public information and available for citizens to review. Mr. Larkin also explained that the elevations are available for public review showing what the exterior plan is.

Matt Sellers asked if this development will comply with the exterior building materials requirement in the C-FF Zone District of which this is a part of? Mr. Larkin stated that this is addressed on page 21, item 6 of the Development Agreement.

Mr. Larkin stated that a question had been raised concerning the number of buildings. The original number of buildings was 68 which included ten, 3 story buildings. This calculates at 18.35 acres of total coverage with the 3 story buildings. The 74 buildings have smaller foot prints, and calculates at 18.75 acres of coverage. This is approximately 7/10 of an acre more land coverage. When spread out over 56 acres, this is not a lot of additional coverage.

Mr. Reed stated that they will change the access to Bob Schmidt's property that Gerald Anderson pointed out. He also addressed site amenities explaining that they will have the recreation building, 3 swimming pools and Jacuzzi areas, and a tot lot. He explained that they are considering a tennis court, but it may not come on line until the second phase. They are also considering a racket ball court.

Mr. Reed stated that they have been bullish on the Salt Lake Valley market for some time. He stated that with or without Micron, they feel this is still a viable project and are still targeting the high-end market. The units will have 9 foot ceilings, luxury kitchens, and a lot of light with many windows. Each unit will have courtyard views and exterior views. Most of the units will have double patios with french doors. Mr. Reed stated that this will be a high quality development.

Mr. Reed addressed the question concerning phasing. A plan was shown which will include 300 units in 25 buildings. Mr. Romph asked about the amenities. Mr. Reed stated that they will be included.

Gerald Anderson asked the estimated time for completion of phase I. Tim Toohey stated that it will take approximately 8 months.

Richard Allen asked if the construction of the first phase will bring them within 400 feet of the Schmidt property to the west? Mr. Reed stated that it will be about 200 feet from the Schmidt property. Mr. Allen stated that the buffering issue will have to be addressed in this phase. Mr. Reed stated that, as part of the phase I development plan, the buffering will be addressed.

Mr. Reed addressed the perpendicular parking issue. He stated that Pegasus considers this type of parking to be off of the road way, but will work with staff on this. Mr. Reed expressed disagreement with Mr. Larkin concerning parking, stating that he preferred open space to parking lots.

Mr. Allen asked if the pan handle area that is sloped will have units stepped down. Mr. Reed stated that they will be stepped down.. Mr. Toohey further explained this, stating that they will conform to the topography.

Chairman Romph asked if it was common practice to have the development agreement in place before the Preliminary Site is approved? Mr. Larkin stated that generally, the development agreement is prepared before final approval.

Dix McMullin asked to make a brief comment. He stated that some comments have been made tonight that may appear to be out of line, because they were made based on public hearings that they had attended and participated in. Mr. McMullin stated that to his knowledge, there was never a public hearing held on the Development Agreement. He stated that there was something amiss here because the public was not allowed input on this agreement. He asked for an explanation. Mr. McMullin also asked who had written the agreement.

Mr. Larkin stated that the Development Agreement was developed between City staff and the developer with attorneys from both sides involved. Once the Development Agreement was

written, it was approved by the City Council. Mr. McMullin again asked when a public hearing was held, as he felt the public had been left out of the loop. He stated that what was talked about at the public hearings and agreed upon is different than what is in the agreement.

Chairman Romph stated that he was unaware that a public hearing for the Development Agreement is required. He asked if the City Administrator Dave Millheim would address this issue?

Administrator Millheim explained that there was not a public hearing on the Agreement. He explained that he was involved along with the City Attorney, and the prior Community Development Director in drafting this agreement. Direction was taken from the City Council and the Agreement was drafted. Administrator Millheim stated that there were multiple drafts for the Council's consideration. In an open meeting in late November it was again brought back before the City Council for approval after numerous changes at Council's request.

Mr. McMullin stated that he felt the public has been taken out of participating in the drafting of the agreement. The changes that have occurred between the public hearings and the drafting of the agreement were never heard by the public. City Administrator Millheim stated that he would respectively disagree. He stated that the public officials are elected by the public. They did hear the comments being made by the citizens, both for and against. It did go through many changes before it was approved by the Council.

Richard Allen asked to make one comment as a member of the Planning Commission. He stated that he had been present at all of the public hearing and listened to all of the public input. Mr. Allen stated that he was aware of all the promises made by Pegasus. He stated that he did not see anything in the Development Agreement that varies from what has always been presented. Mr. Allen stated that he would like to go on record as saying that this Development Agreement is as close to everything agreed upon by the Planning Commission as possible. He stated that the Commission is here tonight to work out the details. The general layout has been decided. We now have to work at making this the best development we can. Mr. Allen stated that the Planning Commission has been involved. He asked that we go on.

Bradley G. Marlor stated that he is new to the Planning Commission. He stated that he has been on the Commission since the end of January. Mr. Marlor stated that he is very interested in the economic development of South Jordan and seeing quality development come in to provide a viable tax base. He stated that he is not personally excited about large apartment complexes in the City.

Mr. Marlor stated that he is now being asked as a Commissioner to approve a site plan. He stated that he is not being asked if he likes apartment complexes or not. He asked that the record show that he is not now or will be in the future, excited about large apartment complexes.

Matt Sellers stated that he is also a new member of the Commission feeling the same emotions that Mr. Marlor has expressed. He stated that having read the Development Agreement, he must vote on the Agreement because the City and the developer have entered into an agreement.

Mr. Sellers stated that he did have some comments. He stated that these would be his own personal opinions. He stated that he is in favor of variety in the elevations, as shown in the original plan. Mr. Sellers expressed concern that all the units looking almost identical would create a box look.

Mr. Sellers stated as you drive through any area in the Wasatch Front, if you look at the driveways of the homes, you will see that basketball has become an extremely important part of the culture. He asked that the developer take a serious look at having facilities for basketball.

Mr. Sellers asked to have less perpendicular parking along the streets with more parking lots between the buildings. He also asked that pedestrian circulation be reviewed. Mr. Sellers also expressed concern with the safety issue at the entrance.

Richard Allen stated that the City Engineer had expressed some concerns. He asked if they also needed to be addressed tonight? City Engineer Haight stated that most of these issues will be resolved before final approval. He stated that he will address how each of these items have been resolved in the final review. Mr. Haight stated that there was not any issue that could not be resolved.

Mr. Allen stated that Mr. Sellers did bring up a lot of good points.

Chairman Romph stated that he would like to re-emphasize the pedestrian access. When the Planning Commission was reviewing the plan, there seemed to be a lot of confusion if you were to walk from point "a" to point "b". He asked that this be addressed more fully. Mr. Romph stated that he was looking for a variety of building design. He stated that he has been involved since the beginning and there are not large changes in what was originally proposed and what is now before the Commission. Mr. Romph stated that the developer is living by the Development Agreement and does not feel that there has been much latitude given or taken.

Mr. Marlor asked to make a final comment. He stated that he was voting under protest. In his view, the process has been somewhat circumvented by the City Council of 1995 by not allowing this process to go through the Planning Commission as it normally does.

Chairman Romph called for any further discussion. As there was none, he called for a motion. Richard Allen made a motion to recommend approval of the preliminary site plan for phase I of the Sterling Village Apartment Complex subject to review of pedestrian access, access to the Jordan River Parkway, addressing buffering on the west side, adjacent to the Schmidt property, addressing the perpendicular parking, garage locations, additional recreational facilities, particularly basketball and tot lots, reviewing the safety factor at the intersection entrance from Tower Boulevard, and if possible, adding some architectural variety. Chairman Romph gave the motion a second. The vote was 3 in favor with Bradley G. Marlor voting in opposition. Mr. Marlor stated that he voted in opposition due to the number of conditions attached to the recommendation,

Chairman Romph thanked everyone for coming and participating. He again stated that the Development Agreement is a matter of public record and can be reviewed at the City Offices.

V ACTION ITEMS

None.

VI OTHER BUSINESS

A. Calendaring Items.

None.

B. Planning Department Matters.

Director Larkin reviewed upcoming agenda items. He also discussed the procedure now being followed for final plat approval.

VII ADJOURNMENT

Chairman Romph asked for a motion of adjournment. Bradley G. Marlor made a motion to adjourn. Richard Allen gave the motion a second. The vote was unanimous in favor.

The Planning Commission meeting of March 27, 1996 was adjourned at 10:10 p.m.

SOUTH JORDAN CITY PLANNING COMMISSION STAFF REPORT

TO: South Jordan City Planning Commission

FROM: Community Development Director

DATE: March 27, 1996

SUBJECT: PUBLIC HEARING: PRELIMINARY SITE PLAN, STERLING VILLAGE APARTMENTS, 11000 SOUTH 500 WEST STREET (APPROXIMATE), 54.47 ACRES, COMMERCIAL-FREEWAY FRONTAGE (C-FF) ZONE DISTRICT), PEGASUS DEVELOPMENT (APPLICANT).

RECOMMENDATION

Staff recommends APPROVAL subject to the applicant addressing some concerns.

BACKGROUND

We have reviewed the Pegasus Development project (Sterling Village) and have some concerns for the successful development of the project.

Originally, Pegasus proposed 68 buildings (60 buildings with 10 units each and 10 garages attached to the buildings, and eight three story buildings with 36 units and 40 parking spaces underground). This, we felt, provided a more open feeling on the site by removing 320 parking spaces from surface parking and adding 1.9 acres to open space.

Subsequently, the applicant informed us that the podium concept (underground parking) was not economically feasible although we have not seen evidence to support that determination.

A second site plan was submitted to staff which eliminated the eight three story buildings and replaced them with 14 two story buildings, adding two units to most of the now 74 structures. Therefore, instead of 68 buildings as originally proposed, the plan proposes 74. The underground parking is now part of the surface parking on the site.

Concerns of the staff with the current plan are as follows:

- Our calculations indicate that the applicant does not meet the 47 percent open space requirement as identified in the Development Agreement. However, the Agreement also states that "The City further agrees to accept substantial compliance by the Developer in meeting this standard. Specifically, our calculations are as follows:

-	Building footprint 11,040 Sq. ft. x 74 Bldgs.	= 18.75 Ac.
-	Pkg. spaces on the roads (incl. detached garages(541 x 162 sq. ft.*	= 2.01
-	Parking spaces in lots (327 x 270 sq. ft.	= 2.03
-	Roads (13,750 lineal feet x 24 ft. width)	<u>= 7.58</u>
	Total developed land	30.37 Ac.

* Some spaces are designated garage spaces.

-	Total site acreage	= 54.47 ac.
-	Open Space	= 24.10 ac. or 44.2 percent.

- Applicant must comply with the garage requirement in the Development Agreement of one garage per unit. Therefore, an additional 140 garage spaces must be allocated on the site. Design standards require a garage space to be 10' x 20' with an 8 foot door width. (Zoning Ordinance Section 12-23-030B). We strongly recommend locating those detached garages in the off-street parking lots and not horizontal to the roadways.
- We are very concerned with the allocation of surface parking perpendicular to the street - 541 spaces to be exact. We feel this is excessive. And while we may argue with the wording in the Development Agreement concerning the prohibition of parking in the internal roadways of the project, we feel this magnitude of roadway parking is excessive along 2.6 miles of roadway. There are areas on the plan where the perpendicular parking is acceptable such as the short east/west streets, the short parking areas to the southeast of the project which are off the main circulation system, and the steep slope area to the west of the entrance road comprising 13 apartment buildings. Staff is willing to concede some of the open space to remove the parking from the roadways. We feel it is a dangerous situation to combine garages and perpendicular parking throughout the project.

Attached is an example of the use of separate parking areas from the main circulation route. We recognize the example does not have garages in the apartment structures. However, the general concept is what we are trying to achieve.

The applicant has submitted a comparison of the surface parking on the site plan attached to the Development Agreement and the current proposed site plan. The statistics are interesting. However, the Agreement also states that the attached plan is a Concept Master Site Plan for the entire project and that preliminary and final site plan must be the same. If the applicant chooses to hold the City to the attached Concept Plan which is neither a preliminary or final plan, then item 5 must be addressed which attaches elevation drawings for two and three story buildings and requires the applicant to conform in all material respects to the elevation drawings approved by the City. These drawings do not match with that now being submitted for consideration.

The applicant has made significant changes to the concept plan attached to the Development Agreement. Are we being led to believe that the applicant wishes to revert back to the original

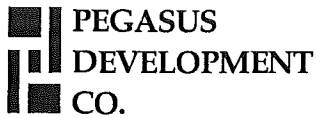
concept plan? We would think not. Applicant's land planner admitted that the original concept plan was not a good plan.

- The pedestrian circulation system as presented needs considerable additional thought to be acceptable. Some of the buildings have no pedestrian access indicated from the parking areas. It would seem logical that applicant provide pedestrian walkways from the parking areas to the buildings.
- The City has no plans to install a traffic control light system at the intersection of the Pegasus Road and the main road from 10600 South to 11400 South. Pegasus will have to deal with that issue in the future. We recognize also that the Development Agreement does not call for Pegasus to pay for and install the traffic light - nor does it require the City to install the light as well.

Staff wants to be sure this will be a good project. We assume the applicant wishes to make this an outstanding project as well.

Recently, City Council has had some question concerning the location of the main entrance road from 10600 South. Hopefully, that issue will be resolved on Tuesday, March 26 at a special Council Meeting.

If the foregoing issues can be addressed, Community Development staff can enthusiastically support this project.



March 20, 1996

VIA OVERNIGHT DELIVERY

Mr. Dennis P. Larkin
Community Development Director
City of South Jordan
11175 South Redwood Road
Salt Lake City, UT 84095

Dictated but not read

Re: Sterling Village Apartments
Planning Commission Submittals

Dear Dennis:

Enclosed please find a copy of the 11-1/2 x 17 elevations for our proposed building. Also enclosed is a letter from our property management company addressing the cities concerns. The city has also expressed some concern about how we intend to collect the trash for this community. Our current objective is to collect the trash on an individual basis. Pending approval of the local trash collection vendors in the area, we hope to provide each resident with a trash can that they can keep either within their garage or in a trash can enclosure area in close proximity to the unit.

I hope this information adequately addresses some of the concerns of our preliminary plan.

Please do not hesitate to contact me at 415.572.5337 if I can provide you with any further information.

Very truly yours,

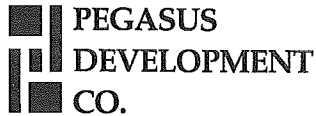
A handwritten signature in dark ink, appearing to read "Timothy X. Toohey". The signature is fluid and cursive, with a long horizontal stroke at the end.

Timothy X. Toohey
Director of Construction

TXT/aa

Enclosures

c: Billy Reed
FILING: Sterling/Zoning/CityCorresp



March 19, 1996

VIAOVERNIGHT DELIVERY

Mr. Dennis P. Larkin
Community Development Director
City of South Jordan
11175 South Redwood Road
Salt Lake City, UT 84095

Re: Sterling Village Apartments

Dear Dennis:

Enclosed are two spreadsheets which define the building and unit mix for Phase I and the site. Also enclosed are six (6) copies of 11-1/2 x 17 colored site plan with a 1"= 50' scale plan dated March 5, 1996.

On page 4 of the Development Agreement in subparagraph #5, Minimum Size, there are Minimum Size requirements for the phase and the site. You will note from our spreadsheet that all of our units are greater than 850 square feet in size. You will also note that over sixty percent of the total units are not less than 1,000 square feet.

I am anxious to receive the requirements from Gordon Haight in regards to the specifics of the necessary requirements for an at risk grading permit.

Tony Guzzardo's office and Eckoff, Watson and Preator's offices are working diligently to produce the balance of the required materials for our March 27, 1996 Planning Commission meeting. This information will follow via separate transmittal.

Please do not hesitate to contact me at 415.572.5337 if I can provide you with any further information.

Very truly yours,

A handwritten signature in dark ink, appearing to read "Tim X. Toohey", is written over the typed name.

Timothy X. Toohey
Director of Construction

TXT/aa

Enclosures

c: Jackie Safier
Billy Reed
John Pringle
Brian Gagan
FILING: Sterling/Zoning/CityCorresp

MAXIM
PROPERTY
MANAGEMENT

March 18, 1996

Tim Toohey
Director of Construction
Pegasus Development Company
2600 Campus Drive, Suite 200
San Mateo, CA 94403

RECEIVED

MAR 19 1996

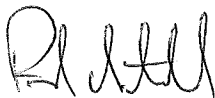
DEVELOPMENT CO.

Re: Graffiti Procedures

Dear Tim:

This letter is in response to your request for information concerning the handling of graffiti incidents. Our site staffs are instructed to remove graffiti daily as a janitorial function. The negative impact of graffiti on the marketing effort makes graffiti removal efficiently and expeditiously a maintenance priority. This most commonly involves painting, however, the incidence of graffiti vary greatly in frequency and severity according to the motivation of the creator, therefore, some specialization of procedures may be required. It is our policy and practice to stay abreast of the development of graffiti removal agents and protective materials to help minimize effects of graffiti on the aesthetics of a project. As a management company, we foster consultation between affected parties, better surveillance, quick response time and improving methods of graffiti removal. In time, this policy serves to ameliorate graffiti problems where they exist.

Sincerely,



Rod Standard, SMA
Vice President, Maintenance Operations

cc: John Pringle

March 4, 1996

Mr. Tim Toohey, Project Manager
Pegasus Development Company
2600 Campus Drive, Suite 200
San Mateo, California 94403

Dear Tim,

Thank you for meeting with me last week concerning the proposed revisions to your Preliminary Site Plan for the Sterling Village project.

We are discouraged by the proposed changes in your plan since they are monumental in scope.

One of the major elements in your proposed plan has been the three (3) story buildings with underground parking. You have sold yourselves as experts in this industry, and yet, you are now telling us that the strongest element in your plan is not economically feasible. You should have worked on these numbers with other projects you have done, or at least determined the feasibility before presenting and selling your plan to the City.

We have calculated that you will have 74 buildings in the revised plan compared to the original plan showing 67 buildings. We feel this will detract from the overall atmosphere of the project due to the additional buildings and increased surface parking.

With this as the general reaction of the City, we have recommendations for you as follows:

- Increase the size of the three (3) story buildings so that they are economically feasible. Perhaps, they could be higher rise buildings. The current Development Agreement allows a maximum height of 38 feet, but amendments are possible with good documentation. We feel underground parking is a necessary amenity.
- Reduce the amount of roads in the development as per the attached drawing. This change will reduce road and utility costs. Further, as we have stated previously, the single loaded roads on the periphery of the site are unnecessary.
- Please note on page 4 of your Agreement that "there shall be no parking of vehicles in the internal roadways of the project." Also, "a garage shall be constructed for each unit contained within the project and 60% of the garages shall be attached." My interpretation of this requirement is that the garages are enclosed garages, not carports. The climate in this area requires the enclosed garage rather than the carport.



11175 SOUTH REDWOOD ROAD / SOUTH JORDAN, UT 84095-8265 / TELEPHONE (801) 254-3742 / FAX (801) 254-3393

- The Agreement states that "not less than 47% of the gross area shall be retained in permanent open space." Surface parking is not included in that allocation.
- Please note the requirements for "project recreational facilities."

We request that you respond to these recommendations as soon as possible. Once we are in agreement, we will place you on the Planning Commission agenda. We strongly feel this project is not ready for public debate, particularly when the applicant and our staff are not in agreement. Therefore, we are not planning to place this project on the Planning Commission agenda for March 13, 1996.

Finally, we wish to remind you that all our previous memos apply to the revised plan as well.

Sincerely,




Dennis P. Larkin, AICP
Community Development Director

cc: Dave Millheim,
City Administrator
Gordon M. Haight II, PE,
City Engineer/Public Works Director

SOUTH JORDAN CITY PLANNING COMMISSION STAFF REPORT

TO: South Jordan City Planning Commission

FROM: Community Development Director 

DATE: February 28, 1996

SUBJECT: PRELIMINARY SITE PLAN, STERLING VILLAGE APARTMENT COMPLEX, 11000 SOUTH 500 WEST STREET (APPROXIMATE), 54.5 ACRES, 880 UNITS, COMMERCIAL-FREEWAY FRONTAGE (C-FF) ZONE DISTRICT, PEGASUS DEVELOPMENT (APPLICANT).

RECOMMENDATION

Staff recommends APPROVAL of the preliminary site plan as presented with conditions provided below.

BACKGROUND

Some of the comments outlined herein may duplicate those of the Public Works Director. However, we have attached a list of site plan approval requirements and have identified those items we feel are not necessary at this stage of the approval process. Greater detail as required in Chapter 12-22 will be necessary as we review the phased submittal of the project.

The City has no specific preliminary site plan requirements. Therefore, staff has taken the list of final site plan requirements and identified those items that are required for preliminary approval (see attached list).

The applicant has submitted a preliminary grading and drainage plan, a preliminary site plan, a preliminary water and sewer plan, and elevations of the proposed buildings.

Staff is comfortable with the material submitted to date with the following exceptions:

1. The entrance road should show the proposed boulevard with cross over areas and protected left turns.
2. We see no access permit(s) to the recreation lands to the west. Those should be provided.
3. We would like to see an overall plan for pedestrian circulation with walkways and trails to be sure applicant has thought through the circulation system.

4. The plan should show dumpster locations.

5. The "back out" parking arrangements along the road system is a concern to us--particularly on the curves of the roads.

6. Signage should be a part of the Phase I submittal and should be consistent throughout the development.

The road system has been raised per earlier comments to the applicant.

This is a good project, but staff will continue to require excellence in every aspect of this development.

South Jordan City

MEMORANDUM

TO: DENNIS LARKIN, INTERIM DEVELOPMENT SERVICES DIRECTOR

FROM: GORDON M. HAIGHT II, P.E., PUBLIC WORKS DIRECTOR/CITY ENGINEER *G.M.H.*

DATE: FEBRUARY 17, 1996

SUBJECT: **PRELIMINARY ENGINEERING REVIEW ON STERLING VILLAGE**

This project has taken a great amount of effort in developing plans. It is evident that much thought has been used from an engineering stand point. I am recommending these plans for preliminary approval. Only a few of my comments relate to the preliminary design and are of significant magnitude on the final design for this project.

Many of my comments relate to the maintenance of this project. If an item is never planned to be the responsibility of the City, then my comments can be taken as more of a suggestion. On items where the City will have a long-term involvement, my comments are in the terms of a requirement.

The following are my comments:

General

1. The developer must provide the City with a copy of a State issued Storm Water Discharge Permit.
2. The developer must provide the City with a copy of a State issued Stream Alteration Perm for discharging into the Jordan River.
3. The developer must provide the City with a copy of a County Flood Control Permit.
4. The developer must obtain a 404 Permit and provide a copy of same permit to the City.
5. The developer must obtain the State Drink Water approval.
6. The developer must obtain a letter from the Irrigation Company approving the irrigation design and provide a copy of same letter to the City.

7. If this development is to be platted by the County, the plan should have a sign-off for US West, Mountain Fuel, UP&L, SL County Sewer District #1 and TCI Cable (or letters giving approval of the design).

Sheet 1 of 3

1. I require that a maintenance agreement be developed which plainly states maintenance responsibility (by the apartment) for the fencing on the East, West and North. This agreement will include the island in the access road, storm drainage and fire hydrant responsibility.
2. The main road into the development is a South Jordan street. It is being proposed as a 73' right-of-way for a 5-lane road. The City's standard right-of-way for a 5-lane road is 106'. The City will need to provide a variance to its design. I am recommending that they eliminate the sidewalk on the West side of the road, however, I do not recommend the elimination of the shoulders and the median should be 14' not 12'.
3. The pavement design is not detailed at this time, however, the soils report does recommend a design for flexible pavement (asphalt). I am recommending that the developer construct a rigid pavement (concrete) section.
4. The frontage road is still evolving in the design process. As a result of changes in the UDOT design at the 10600 South Railroad Crossing, the frontage road is subject to design changes at the intersection to the apartment access road. Because of these changes with the additional road width and free right into the apartment, the lay out may need to be redesigned for final.
5. Due to the issues in Item 4, I am recommending that Emergency Fire access be relocated to the northeast corner by the commercial area and the railroad property, and down by the Jordan River Parkway Trail.
6. In the landscape plan, the vegetation and the irrigation system for the entrance road island will need to be detailed. The apartments are expected to maintain this island and pay for the water.
7. The landscape plan will need to be closely coordinated with the snow removal plan (snow storage and salt), sight distances and safety.
8. Provide the City with a copy of a letter from Salt Lake County approving street names.

Preliminary Engineering Review on
Sterling Village Memo
February 17, 1996
Page 3

9. Provide the City with a pedestrian access plan within the development. Safety on the internal trail system is critical.
10. Show phasing plan.
11. Each grading section is to be contained in a phase.
12. Garbage collection areas. South Jordan currently provides recycling to each home in the City. It is strongly recommended that recycling be considered for this development as well.
13. Not all of the recreation facilities are shown on this plan. Tot lots should be considered for children. Fire truck access is required to all structures.
15. Show signing and striping plan for the development and access road. The City is anticipating using tape for the pavement markings. The access road will be responsible for the same standard.
16. Show typical section for all internal roads.
17. The 5' retaining wall and 6' noise wall will need to be reviewed by Dennis.
18. The main access road will need to be deeded to the City by Plat. The utility easements for storm water and culinary water can be a written easement. The irrigation easement will need to be dedicated to the irrigation company.

Sheet 2 of 3

1. The City has not determined if it will use 11000 South for a storm drain easement. It is therefore the developer's responsibility to handle the out-fall to the Jordan River. The City agrees to grant easements on the wetland park property once a design has been approved.
2. Before the grading and drainage sheet can be fully reviewed, more detail must be provided. The detail will need to be submitted in the final plans package.
3. For maintenance reasons, it may be more effective to pour the curb and sidewalk monolithically.
4. To help drainage, a crowned road may also significantly help keep water off the road.

Sheet 3 of 3

Preliminary Engineering Review on
Sterling Village Memo
February 17, 1996
Page 4

1. The preliminary water plan appears to be well engineered. However, a final review will necessary when the final plans are submitted.
2. Relocate fire hydrants to the near sides.
3. Stub sewer line into the commercial area.

See Redlines for additional comments.

January 31, 1996

Mr. Tim Toohey, Project Manager
Pegasus Development Company
2600 Campus Drive, Suite 200
San Mateo, California 94403

Dear Tim,

We enjoyed meeting with you and look forward to working with you on the Sterling Village project in South Jordan.

In reviewing the preliminary site plan, Gordon Haight (City Engineer) and I have some serious concerns about the proper functioning of the proposed project. Our concerns are outlined below:

PLANNING ISSUES

- The entire circulation system could have a major stacking problem, particularly in the A.M. when people are leaving for work. While I had backed off on the overall circulation plan, I still believe there is a better solution. (See Gordon's memo.)
- The north-south interior road east of the recreation complex should be realigned to create softer turns - more in keeping with the north-south road to the west.
- The intersection of roads just west of the main entrance road should be re-studied with possible alignment of the access road to the south.
- Re-design of the road curves on the road just west of and parallel to the main entrance road.
- Pegasus should study the treatment of the south and east boundary of the project. The development agreement calls for a sound barrier wall to the south once development occurs within 400 feet. Will that be the permanent wall? If so, the design proposal should be submitted to the City. Residents to the south have been calling this office stating that a seven (7) foot wall will be built at the south boundary. Current zoning ordinances allow a wall six (6) feet in height.
- Pegasus should evaluate the impact of the railroad traffic on the proposed development. This was not mentioned at the last meeting. However, we would suggest you determine the impact of the vibration resulting from railroad traffic on adjacent properties and plan your development accordingly. Such things as setback of buildings on the east side of the site with perhaps closer clustering of buildings, or more substantial sound barrier structures as would otherwise be used are possible solutions.



Attached you will find a summary of the site plan approval process together with the detail for submittal. The only addition to the process is the preliminary site plan approval which includes

approval of the overall site plan by the Planning Commission and City Council prior to the pre-application meeting for your phase I.

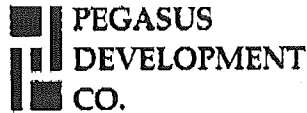
Also attached are comments prepared by the City Engineer, Gordon M. Haight. We suggest you address all of the above issues before the preliminary site plan is submitted to us for processing. If you have any questions, please contact me at your convenience.

Cordially,

A handwritten signature in cursive script, appearing to read "Dennis P. Larkin".

Dennis P. Larkin AICP
Interim Community Development Director

DPL/jh



Post-It* Fax Note 7671		Date 1.30	# of pages 2
To	Gerald Anderson	From	Billy Reed
Co./Dept.	Bob Elden	Co.	
Phone #	Gordon Haight	Phone #	
Fax #		Fax #	

January 30, 1996

VIA FACSIMILE & REGULAR MAIL

Mr. Dave Millheim
 City Administrator
 City of South Jordan
 11175 South Redwood Road
 South Jordan, UT 84095-8265

Dear Dave:

It was good to see you last week. We are excited about moving forward on our Sterling Village project and look forward to working with the City throughout the process. Tim Toohey has informed me that the alignment of 400 West is being resolved very close to the location on which we had agreed as part of our Developer Agreement. Clearly we were pleased to hear the good news.

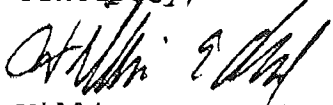
Dave, I am concerned that Tim has also informed me that there was a question raised over who should pay the cost of the signal. Gordon asked that I write a letter to you explaining my understanding of our agreement and that is what is precipitating this response. My understanding is that the City was going to pay for all the costs for 400 West. This is clear from our Development Agreement. As part of these costs, I always believed that it was clear that there was going to be a signal required at our entry road, but that the signal is really part of 400 West. We have also included what we would be putting in as part of our entry road which would be turned over to the City and the description of our entry road improvement never included a signal. In addition, I would like to point out that we are paying, as part of our agreed upon municipal fees, \$700.00 per unit to be applied to road improvements. This will help to pay for the construction of 400 West; we have always believed that the signal would be a part of that improvement for 400 West.

Dave, I hate getting started off on the wrong foot before we even have turned once spade of dirt, but this is a key point for us. We would like to continue to work with the City, however, on this particular issue, I cannot agree with Gordon that this was something that was discussed and Pegasus agreed to foot the bill. I hope that this does not poison the waters of working with us

Mr. Dave Millheim
January 30, 1996
Page 2

because I sincerely look forward to a wonderful working relationship.

Sincerely,



William E. Reed
Director of Development

WER/aa

c: Sanford Diller
Tim Toohey
Gerald Anderson
Bob Elder
Gordon Haight

South Jordan City

MEMORANDUM

TO: DENNIS LARKIN, INTERIM DEVELOPMENT SERVICES DIRECTOR

FROM: GORDON M. HAIGHT II, P.E., PUBLIC WORKS DIRECTOR/CITY ENGINEER *G.M.H.*

DATE: JANUARY 25, 1996

SUBJECT: **PRELIMINARY ENGINEERING REVIEW ON STERLING VILLAGE**

The plans do not address most of the engineering issues that will be designed in the final submittal. The following is a list of items that must be addressed before an engineering recommendation for final approval.

Roads

The entrance road to Sterling Village is currently being designed. The entrance road intersection with the frontage road is projected to transport between 30,000 to 35,000 trips per day. Sterling Village could generate between 300-600 A.M. peak trips. It is reasonable to assume that at least 80% of these trips will be northbound to 10600 South.

I am concerned that the level of service being designed into this intersection may be unacceptable. I also have concerns with the main entrance into this development. I am requesting a traffic circulation study for Sterling Village. I am particularly interested in P.M. and A.M. peak traffic. I need to see HCS runs on the key intersections within the development.

Due to the complexities of the entry road with the frontage road, the frontage road may need to be relocated to cross the railroad at 11000 South. This relocation may cause a significant redesign of the proposed development. The final design of this project will need to include a traffic study demonstrating the effectiveness of the road layout.

Geotechnical Study

A soils report is required before I can recommend this project for final approval. The report will need to include detailed recommendations for slope stabilization, pavement design, compaction for fills and design data for retaining walls.

Construction should reflect the high or moderate earthquake liquefaction potential on the site, and how it will be mitigated. Seeps or springs may also be located on the property, recommendation on how they will be handled should be included.

Culinary Water Study

The culinary water master plan must include a water study and model. The water master plan and study must be approved before a recommendation for final approval on Phase #1 will be given.

The master plan must include fire flow, metering and peak demands. The plan will need to include an entire utility master plan with all the utilities layed out.

Trails and Open Space

The City is very interested in seeing a developed pedestrian and bicycling master plan for this project, as well as, trail access to the Jordan River Parkway. The overall master plan will be required before the first phase will receive a recommendation for final approval.

Safety is often an oversight to trail design. I would recommend that safety be a primary concern in developing all trail standards and design.

In the design of the fencing and walls, I would recommend that maintenance be a high consideration. The fencing adjacent to the railroad tracks could be a potential area for graffiti. This is also true for the fence adjacent to the Jordan River and wetland park area. I would request that Pegasus submit a written plan for how they anticipate the fencing be maintained.

Storm Drainage

The master storm drain plan and study will need to clearly demonstrate how the 100 year storm and 10 year storm will be handled. The City may up-size a storm drain line through the project. This has not been determined.

Consideration must be given to the design and location of any off-site detention.

General Maintenance

Roads are often the highest maintenance cost when compared to the other services provided. They also tend to be the most visible. For these reasons, the road design is extremely critical.

Steep grades can often be very difficult in terms of snow removal. As grades go beyond 8%, utility pick up trucks will often not be able to effectively plow the road, or even climb a steep grade in adverse weather conditions.

Preliminary Engineering Review on
Sterling Village Memo
January 25, 1996
Page 3

In the summer months, shoving of asphalt is increased when an intersection is located on a grade. To prevent shoving or rutting, concrete cement is now often preferred at intersections.

Snow removal is an important consideration. Sidewalks adjacent to a road will (without a park strip) end up being used for snow storage. I would recommend that every several hundred yards, a snow storage area be constructed. This area could be area behind the sidewalk that is only vegetated with sod. Curb cuts would be made at these locations. The vegetation next to roads and sidewalks will also need to be salt resistant. Drainage from snow melt should also be considered. Once catch basins are covered with ice, ponding can result which leads to other problems.

The storm drain system is often the second biggest maintenance cost. If grass areas are not graded so that they shed water after rains or sprinkling, mowing equipment will cause rutting and damage the sod. Pipe sizes can generally be significantly reduced with on-site detention. Clean-out boxes are also an important feature in the storm drain system. There has been some rumblings by the EPA wanting to require pre-treatment of all storm water before it is discharged into public water ways.

Lighting is often an under considered item. The lighting fixture design will be an important consideration to tie this entire district together in look and feel. (A wild idea that was once considered was to use natural gas for lighting the poles and fixtures. The poles and fixtures would be a little more costly but the maintenance costs are similar. They produce a blue glow instead of the yellow)

If you have any questions, please call me.

FACSIMILE COVER LETTER

Date Transmitted: 2/26/96
Time Transmitted: 4:30 pm

PLEASE DELIVER THE FOLLOWING PAGES IMMEDIATELY!

FROM

SENDER'S NAME: Monica

RE: Sterling Village

TO

NAME: Tim Toohay

ATTENTION: "

FAX NUMBER: (415) 349-3204

REMARKS: _____

SENDING 9 PAGES INCLUDING THIS COVER PAGE


IF YOU DO NOT RECEIVE ALL PAGES, OR IF ILLEGIBLE,
PLEASE CALL OUR OFFICE, (801) 254-3742.



SOUTH JORDAN
U T A H

SOUTH JORDAN CITY PLANNING COMMISSION STAFF REPORT

TO: South Jordan City Planning Commission

FROM: Community Development Director 

DATE: February 28, 1996

SUBJECT: PRELIMINARY SITE PLAN, STERLING VILLAGE APARTMENT COMPLEX, 11000 SOUTH 500 WEST STREET (APPROXIMATE), 54.5 ACRES, 880 UNITS, COMMERCIAL-FREEWAY FRONTAGE (C-FE) ZONE DISTRICT, PEGASUS DEVELOPMENT (APPLICANT).

RECOMMENDATION

Staff recommends APPROVAL of the preliminary site plan as presented with conditions provided below.

BACKGROUND

Some of the comments outlined herein may duplicate those of the Public Works Director. However, we have attached a list of site plan approval requirements and have identified those items we feel are not necessary at this stage of the approval process. Greater detail as required in Chapter 12-22 will be necessary as we review the phased submittal of the project.

The City has no specific preliminary site plan requirements. Therefore, staff has taken the list of final site plan requirements and identified those items that are required for preliminary approval (see attached list).

The applicant has submitted a preliminary grading and drainage plan, a preliminary site plan, a preliminary water and sewer plan, and elevations of the proposed buildings.

Staff is comfortable with the material submitted to date with the following exceptions:

1. The entrance road should show the proposed boulevard with cross over areas and protected left turns.
2. We see no access permit(s) to the recreation lands to the west. Those should be provided.
3. We would like to see an overall plan for pedestrian circulation with walkways and trails to be sure applicant has thought through the circulation system.

4. The plan should show dumpster locations.
5. The "back out" parking arrangements along the road system is a concern to us--particularly on the curves of the roads.
6. Signage should be a part of the Phase I submittal and should be consistent throughout the development.

The road system has been raised per earlier comments to the applicant.

This is a good project, but staff will continue to require excellence in every aspect of this development.

PRELIMINARY SITE PLAN APPROVAL REQUIREMENTS

SOUTH JORDAN CITY, UTAH

Site Plan

X	Boundaries of subject parcel.
X	Existing streets, water courses, easements and other rights-of-way and section lines
X	Location, dimensions, uses and heights of all proposed buildings & structures.
X	Access points for vehicular and pedestrian circulation.
X	Off-street parking and loading areas complying with off-street parking and loading requirements (Section 12-23).
NA	Screening & buffering provisions.
X	Location and treatment of refuse collection areas.
NA*	Location and size of exiting utilities and general location of utility access points.
NA	Location, type, and size of all business and on-site circulation signage.
X	Tabulation of square footage devoted to various land uses, ground coverage by structures and other impervious surfaces.
NA	Lighting plan which indicates the illumination of all interior areas and immediately adjoining streets showing candle power and type of lighting proposed.
NA	Engineering drawings for all on-site and off-site improvements.
X*	Location of existing and proposed curb, gutter, sidewalk, park strip and edge of asphalt, prepared and stamped by a registered Engineer.
NA	Type of construction, presence or absence of fire sprinkling, and location of all existing proposed fire hydrants.
NA	Location of all irrigation systems, both on site and on adjacent properties, including ditches, pipes and culverts.
NA	A statement on the site plan that "All Applicable Elements of the American's with Disabilities Act Accessibility Guidelines" will be met.
NA	The preservation of all irrigation water facilities.

X - Preliminary Only

NA - Not Applicable

NA	The names of all adjacent property owners.
----	--

Landscaping Plan

X*	Indicate location, spacing, types and sizes of landscaping elements.
X	Show compliance with the off-street parking and loading chapter of the Ordinance.
NA	Compliance with all other sections of the Zoning Ordinance dealing with landscaping (as described in the various land use zoning districts).
X	General landscaping only (identify areas to be landscaped).

Storm Drainage Plan

NA	Location and elevations of all existing and proposed drainage facilities within subject parcel and within 100 feet of the site.
NA	Retention areas and exfiltration areas.
NA	Storm sewer piping and other appurtenances, sizes, and locations.
X	Contour lines at one-foot intervals.
NA	A note indicating all storm drainage facilities will conform to City's construction standards and policies.

Elevations

NA	All buildings, fences and other structures as per section 12-22-040.
----	--

Traffic Impact Study

NA	As required and including the information described in section 12-22-040.
----	---

X - Preliminary Only

NA - Not Applicable

South Jordan City

M E M O R A N D U M

TO: DENNIS LARKIN, INTERIM DEVELOPMENT SERVICES DIRECTOR

FROM: GORDON M. HAIGHT II, P.E., PUBLIC WORKS DIRECTOR/CITY ENGINEER *G.M.H.*

DATE: FEBRUARY 17, 1996

SUBJECT: **PRELIMINARY ENGINEERING REVIEW ON STERLING VILLAGE**

This project has taken a great amount of effort in developing plans. It is evident that much thought has been used from an engineering stand point. I am recommending these plans for preliminary approval. Only a few of my comments relate to the preliminary design and are of significant magnitude on the final design for this project.

Many of my comments relate to the maintenance of this project. If an item is never planned to be the responsibility of the City, then my comments can be taken as more of a suggestion. On items where the City will have a long-term involvement, my comments are in the terms of a requirement.

The following are my comments:

General

1. The developer must provide the City with a copy of a State issued Storm Water Discharge Permit.
2. The developer must provide the City with a copy of a State issued Stream Alteration Permit for discharging into the Jordan River.
3. The developer must provide the City with a copy of a County Flood Control Permit.
4. The developer must obtain a 404 Permit and provide a copy of same permit to the City.
5. The developer must obtain the State Drink Water approval.
6. The developer must obtain a letter from the Irrigation Company approving the irrigation design and provide a copy of same letter to the City.

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Page 2

7. If this development is to be platted by the County, the plan should have a sign-off for US West, Mountain Fuel, UP&L, SL County Sewer District #1 and TCI Cable (or letters giving approval of the design.

Sheet 1 of 3

1. I require that a maintenance agreement be developed which plainly states maintenance responsibility (by the apartment) for the fencing on the East, West and North. This agreement will include the island in the access road, storm drainage and fire hydrant responsibility.
2. The main road into the development is a South Jordan street. It is being proposed as a 73' right-of-way for a 5-lane road. The City's standard right-of-way for a 5-lane road is 106'. The City will need to provide a variance to its design. I am recommending that they eliminate the sidewalk on the West side of the road, however, I do not recommend the elimination of the shoulders and the median should be 14' not 12'.
3. The pavement design is not detailed at this time, however, the soils report does recommend a design for flexible pavement (asphalt). I am recommending that the developer construct a rigid pavement (concrete) section.
4. The frontage road is still evolving in the design process. As a result of changes in the UDOT design at the 10600 South Railroad Crossing, the frontage road is subject to design changes at the intersection to the apartment access road. Because of these changes with the additional road width and free right into the apartment, the lay out may need to be redesigned for final.
5. Due to the issues in Item 4, I am recommending that Emergency Fire access be relocated to the northeast corner by the commercial area and the railroad property, and down by the Jordan River Parkway Trail.
6. In the landscape plan, the vegetation and the irrigation system for the entrance road island will need to be detailed. The apartments are expected to maintain this island and pay for the water.
7. The landscape plan will need to be closely coordinated with the snow removal plan (snow storage and salt), sight distances and safety.
8. Provide the City with a copy of a letter from Salt Lake County approving street names.

Preliminary Engineering Review on
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February 17, 1996
Page 3

9. Provide the City with a pedestrian access plan within the development. Safety on the internal trail system is critical.
10. Show phasing plan.
11. Each grading section is to be contained in a phase.
12. Garbage collection areas. South Jordan currently provides recycling to each home in the City. It is strongly recommended that recycling be considered for this development as well.
13. Not all of the recreation facilities are shown on this plan. Tot lots should be considered for children. Fire truck access is required to all structures.
15. Show signing and striping plan for the development and access road. The City is anticipating using tape for the pavement markings. The access road will be responsible for the same standard.
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17. The 5' retaining wall and 6' noise wall will need to be reviewed by Dennis.
18. The main access road will need to be deeded to the City by Plat. The utility easements for storm water and culinary water can be a written easement. The irrigation easement will need to be dedicated to the irrigation company.

Sheet 2 of 3

1. The City has not determined if it will use 11000 South for a storm drain easement. It is therefore the developer's responsibility to handle the out-fall to the Jordan River. The City agrees to grant easements on the wetland park property once a design has been approved.
2. Before the grading and drainage sheet can be fully reviewed, more detail must be provided. The detail will need to be submitted in the final plans package.
3. For maintenance reasons, it may be more effective to pour the curb and sidewalk monolithically.
4. To help drainage, a crowned road may also significantly help keep water off the road.

Sheet 3 of 3

Preliminary Engineering Review on
Sterling Village Memo
February 17, 1996
Page 4

1. The preliminary water plan appears to be well engineered. However, a final review will necessary when the final plans are submitted.
2. Relocate fire hydrants to the near sides.
3. Stub sewer line into the commercial area.

See Redlines for additional comments.

June 13, 1996

Dear Property Owner:

Pegasus Development Company has filed an application for final site plan approval of the first phase of an apartment complex to be located at approximately 11000 South 500 West Street in the Residential Multi-Use (R-M) Zone District. Our records indicate that you own property within 300 feet of the proposed development.

The South Jordan City Council will consider this application at a meeting to be held on Tuesday, June 18, 1996 at 7:30 p.m. at the South Jordan City Offices located at 11175 South Redwood Road, South Jordan, Utah. All interested parties are invited to attend. The proposed site plan is available for public inspection at the City Offices, Monday through Friday during regular business hours.

Should you desire further information, please contact the Community Development Staff at the City Offices or by telephone at (801) 254-1404.

Sincerely,



Dennis P. Larkin AICP
Community Development Director



27-24-177-007

STEVE R & TRACY C MCMILLAN
11231 SOUTH 445 WEST
SOUTH JORDAN, UTAH 84095

27-24-101-011,010.006,014

RAS INVESTMENT
1129 SOUTH 300 WEST STREET
SLC, UTAH 84101 3085

27-24-127-010,011,005,007,009

KATHLEEN & BERT OLIVER
311 WEST 11000 SOUTH STREET
SOUTH JORDAN, UTAH 84095

27-24-152-017

W DENT & MARSHA K
JOHANSON
11286 SOUTH 445 WEST STREET
SOUTH JORDAN, UTAH 84095

27-13-376-006

BRIGNOR DEVELOPMENT CORP
1784 EAST 11400 SOUTH STREET
SANDY, UTAH 84092

27-24-177-005

MAICHAEL P & CEM M LYMAN
11279 SOUTH 445 WEST STREET
SOUTH JORDAN, UTAH 84095

27-13-376-007

JAY, SHARON, & SHANE GILES
191 EAST 13800 SOUTH STREET
DRAPER, UTAH 84020

IVAN L FAIRBOURN

13456 SOUTH FORT STREET
DRAPER, UTAH 84020

27-24-152-012

NANCY C MILLER
11234 SOUTH 445 WEST STREET
SOUTH JORDAN, UTAH 84095

27-13-301-002

JOHNSON ENTERPRISES, LTD
9826 S COUNTRYWOOD DRIVE
SANDY, UTAH 84092

JERRY E & IRMA FAIRBOURN

291 WEST 11000 SOUTH STREET
SOUTH JORDAN, UTAH 84095

27-24-152-001

SCOTT BRADY
11223 S BROOKE-N-LANCE LANE
SOUTH JORDAN, UTAH 84095

27-24-127-001,002

WILLIAM L FOLEY
319 WEST 11000 SOUTH STREET
SOUTH JORDAN, UTAH 84095

27-24-152-003

DENNIS K & MARY L DALLEY
11289 S BROOKE-N-LANCE LANE
SOUTH JORDAN, UTAH 84095

27-13-377-004

RITCHIE T & DINAH H SVEDIN
322 WEST 11000 SOUTH STREET
SOUTH JORDAN, UTAH 84095

27-24-152-002

TIMOTHY D & LEZLIE H HARPER
11229 SOUTH BROOKE-N-LANCE
SOUTH JORDAN, UTAH 84095

27-13-377-005

PAULUS B SVEDIN & WILMA S
LARSON
306 WEST 11000 SOUTH STREET
SOUTH JORDAN, UTAH 84095

27-24-177-008

DAVID J & VICKY E CASE
11263 SOUTH 445 WEST STREET
SOUTH JORDAN, UTAH 84095

27-13-352-004

GERALD D ANDERSON
10977 PLEASANT HILLS DRIVE
SANDY, UTAH 84092

GARY & JOY STURDEVANT

241 WEST 11000 SOUTH STREET
SOUTH JORDAN, UTAH 84095

27-24-101-017,009,015

ROBERT A & BARBARA SCHMIDT
1129 SOUTH 300 WEST STREET
SLC, UTAH 84101 3085

27-24-127-003,009

MICHAEL B & CAROLINE
ELDREDGE
301 WEST 11000 SOUTH STREET
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27-24-177-007
STEVE R & TRACY C
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322 W 11000 S
SOUTH JORDAN, UT 84095

27-24-127-003,009
MICHAEL B & CAROLINE
ELDREDGE
301 W 11000 S
SOUTH JORDAN, UT 84095

IVAN L FAIRBOURN
13456 FORT STREET
DRAPER, UTAH 84020

March 15, 1996

Dear Property Owner:

Pegasus Development Company has filed an application for preliminary site plan approval of an 880 unit apartment complex located at approximately 11000 South 500 West in the Residential Multi-Use (R-M) Zone District. Our records indicate you own property within 300 feet of the proposed development.

The South Jordan City Planning Commission will consider this application at a public hearing to be held on Wednesday, March 27, 1996 at 7:30 p.m. at the South Jordan City Offices, 11175 South Redwood Road, South Jordan, Utah. The City Council will consider this application at a public hearing to be held on Tuesday, April 2, 1996 at 7:30 p.m. at the South Jordan City Offices. All interested parties are invited to attend.

Should you desire further information, please contact the City Planning Staff at the City Offices or by telephone at (801) 254-1404.

Sincerely,



Dennis P. Larkin AICP
Community Development Director

DPL/jh



27-14-177-007
STEVE R & TRACY C MCMILLAN
11231 S 445 W
SOUTH JORDAN, UT 84095

27-24-101-011,010,006,014
RAS INVESTMENT
1229 S 300 W
SLC, UTAH 84101-3085

27-24-127-010,011,005,007,009
KATHLEEN & BERT OLIVER
311 W 11000 S
SOUTH JORDAN, UT 84095

27-24-152-017
W DENT & MARSHA K
JOHANSON
11286 S 445 W
SOUTH JORDAN, UT 84095

27-13-376-006
BRIGNOR DEVELOPMENT CORP
1784 E 11400 S
SANDY, UTAH 84092

27-24-177-005
MICHAEL P & CEM M LYMAN
11279 S 445 W
SOUTH JORDAN, UT 84095

27-13-376-007
JAY, SHARON, & SHANE GILES
191 E 13800 S
DRAPER, UTAH 84020

IVAN L FAIRBOURN
13456 FORT STREET
DRAPER, UTAH 84020

27-24-152-012
NANCY C MILLER
11234 S 445 W
SOUTH JORDAN, UT 84095

27-13-301-002
JOHNSON ENTERPRISES, LTD
9826 S COUNTRYWOOD DRIVE
SANDY, UTAH 84092

JERRY E & IRMA FAIRBOURN
291 W 11000 S
SOUTH JORDAN, UT 84095

27-24-152-001
SCOTT BRADY
11223 S BROOKE-N-LANCE LANE
SOUTH JORDAN, UT 84095

27-24-127-001,002
WILLIAM L FOLEY
319 W 11000 S
SOUTH JORDAN, UT 84095

27-24-152-003
DENNIS K & MARY L DALLEY
11289 S BROOKE-N-LANCE LANE
SOUTH JORDAN, UT 84095

27-13-377-004
RITCHIE T & DINAH H SVEDIN
322 W 11000 S
SOUTH JORDAN, UT 84095

27-244-152-002
TIMOTHY D & LEZLIE H HARPER
11229 S BROOKE-N-LANCE LANE
SOUTH JORDAN, UT 84095

27-13-377-005
PAULUS B SVEDIN & WILMA S
LARSON
306 W 11000 S
SOUTH JORDAN, UT 84095

27-24-177-008
DAVID J & VICKY E CASE
11263 S 445 W
SOUTH JORDAN, UT 84095

27-13-352-004
GERALD D ANDERSON
10977 PLEASANT HILLS DRIVE
SANDY, UTAH 84092

GARY & JOY STURDEVANT
241 W 11000 S
SOUTH JORDAN, UT 84095

27-24-101-017,009,015
ROBERT A & BARBARA SCHMIDT
1229 S 300 W
SLC, UTAH 84101-3085

27-24-127-003,009
MICHAEL B & CAROLINE
ELDREDGE
301 W 11000 S
SOUTH JORDAN, UT 84095

March 3, 1997

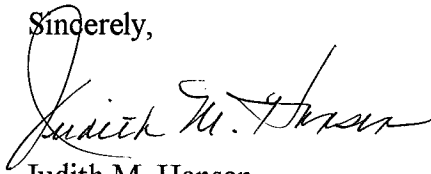
Dear Property Owner:

Pegasus Development has filed an application to amend the site plan for the second phase of the Sterling Village Apartment development located at approximately 10000 South Sterling Boulevard (500 West Street), South Jordan, Utah in the Commercial-Freeway Frontage (C-FF) Zone District.

The South Jordan City Planning Commission will consider this application at a public hearing to be held on Wednesday, March 12, 1997 at 7:30 p.m. at the South Jordan City Offices located at 11175 South Redwood Road, South Jordan, Utah. The South Jordan City Council will consider the same application at a public hearing to be held on Tuesday, March 18, 1997 at the South Jordan City Offices. All interested parties are invited to attend. A copy of the proposed site plan is available for public inspection at the South Jordan Community Development Department in the City Offices during regular business hours.

Should you have further questions, you can contact the Community Development Department at the City Offices or by telephone at (801) 254-1404 during regular business hours.

Sincerely,



Judith M. Hansen
Planning Technician



NANCY C MILLER
11234 S 445 W
SOUTH JORDAN, UT 84095

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11234 S 445 W
SOUTH JORDAN, UT 84095

GERALD D ANDERSON
10977 S PLEASANT HILL CIR
SANDY, UT 84092

NANCY C MILLER
11234 S 445 W
SOUTH JORDAN, UT 84095

W KENT JOHANSON
11286 S 445 W
SOUTH JORDAN, UT 84095

CLARK L REBER
5450 W WILEY POST WY
SALT LAKE CITY, UT 84116

ELTON VERNON
11356 S 445 W
SOUTH JORDAN, UT 84095

LORI VERNON
11356 S 445 W
SOUTH JORDAN, UT 84095

MICHAEL P LYMAN
11279 S 445 W
SOUTH JORDAN, UT 84095

REX M MCMILLAN
11231 S 445 W
SOUTH JORDAN, UT 84095

STEVE R MCMILLAN
11231 S 445 W
SOUTH JORDAN, UT 84095

DAVID J CASE
11263 S 445 W
SOUTH JORDAN, UT 84095

ROY D GUNNELL
11321 S 445 W
SOUTH JORDAN, UT 84095

PAUL E REBER
11337 S 445 W
SOUTH JORDAN, UT 84095

SAMUEL REBER
6985 UNION PARK CNTR #595
MIDVALE, UT 84047

February 21, 1996

Dear Property Owner:

Pegasus Development Company has filed an application for preliminary site plan approval of an 880 unit apartment complex located at approximately 11000 South 500 West in the Residential Multi-Use (R-M) Zone District. Our records indicate you own property within 300 feet of the proposed development.

The South Jordan City Planning Commission will consider this application at a public hearing to be held on Wednesday, February 28, 1996 at 7:30 p.m. at the South Jordan City Offices, 11175 South Redwood Road, South Jordan, Utah. All interested parties are invited to attend. The proposed site plan is available for public inspection at the City offices, Monday through Friday during business hours.

Should you desire further information, please contact the City Planning Staff.

Sincerely,



Dennis P. Larkin AICP
Community Development Director

DPL/jh



February 26, 1996

Dear Property Owner:

You were recently informed of a public hearing to be held on Wednesday, February 28, 1996 concerning an application filed by Pegasus Development Company for preliminary site plan approval of an 880 unit apartment complex located at approximately 11000 South 500 West in the Residential Multi-Use (R-M) Zone District. This public hearing has been canceled at the request of the developer. You will be re-notified when this application is scheduled to be considered.

We apologize for any inconvenience this may have caused. Should you desire further information, please contact the City Planning Staff.

Sincerely,



Dennis P. Larkin AICP
Community Development Director

DPL/jh



27-24-177-007
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MCMILLAN
11231 S 445 W
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